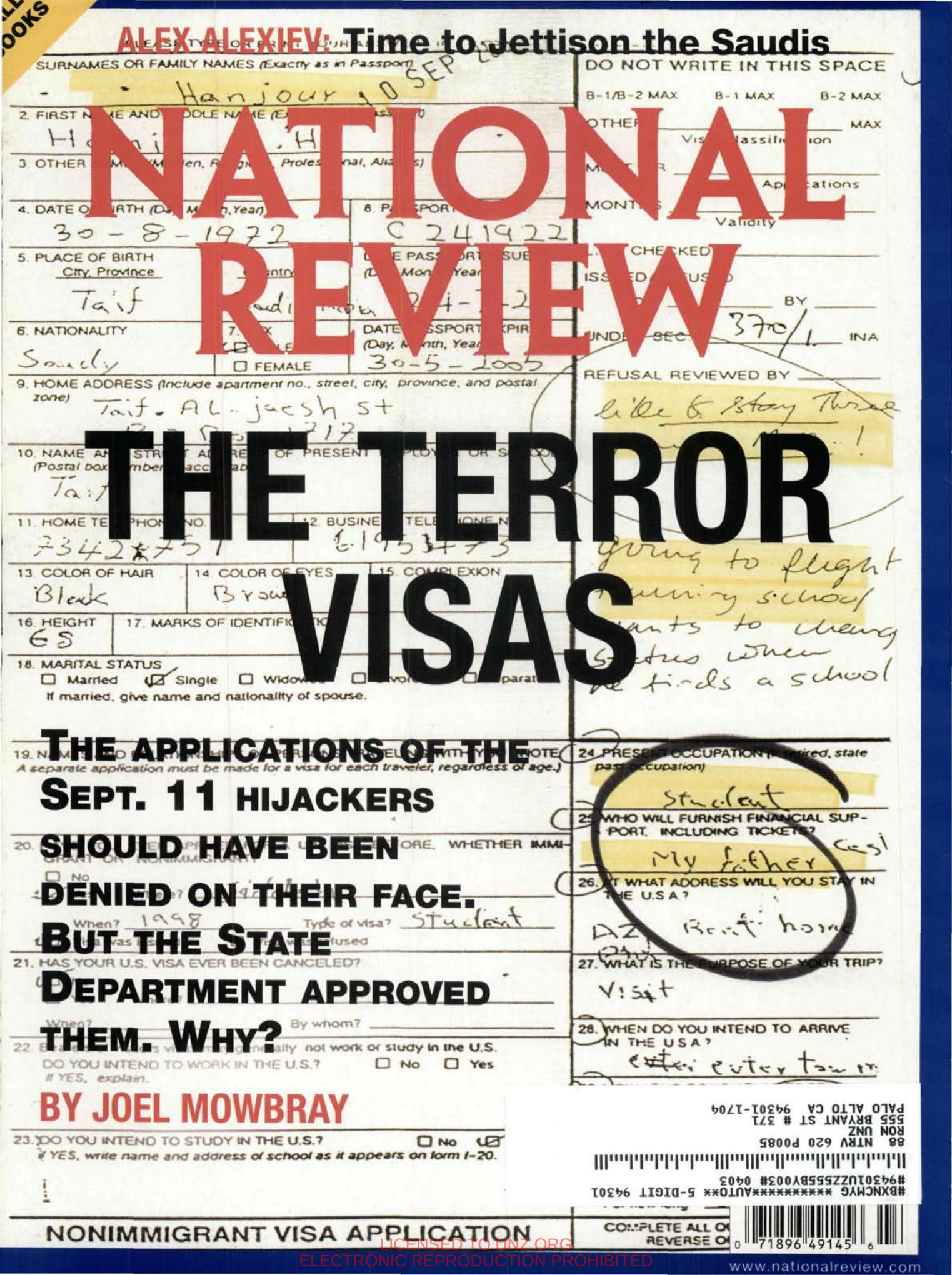
NATIONAL REVIEW

THE TERROR VISAS

ALEX ALEXIEV: Time to Jettison the Saudis

THE APPLICATIONS OF THE SEPT. 11 HIJACKERS SHOULD HAVE BEEN DENIED ON THEIR FACE. BUT THE STATE DEPARTMENT APPROVED THEM. WHY?

BY JOEL MOWBRAY


SURNAMES OR FAMILY NAMES (Exactly as in Passport)
Hanjour
DO NOT WRITE IN THIS SPACE
B-1/B-2 MAX
B-1 MAX
B-2 MAX
4. DATE OF BIRTH
30-8-1972
8. PASSPORT
C 24192
5. PLACE OF BIRTH
City, Province
Taif
6. NATIONALITY
Saudy
FEMALE
30-5-2005
9. HOME ADDRESS (Include apartment no., street, city, province, and postal zone)
Taif. AL. jaesh st
10. NAME AND STREET ADDRESS OF PRESENT EMPLOYER OR SCHOOL
Taif
11. HOME TELEPHONE NO.
342751
12. BUSINESS TELEPHONE NO.
7195473
13. COLOR OF HAIR
Black
14. COLOR OF EYES
Brown
15. COMPLEXION
16. HEIGHT
6S
17. MARKS OF IDENTIFICATION
18. MARITAL STATUS
Married
Single
Widowed
If married, give name and nationality of spouse.
19. NAME AND COMPLETE ADDRESS OF PERSON TRAVELING WITH YOU (NOTE: A separate application must be made for a visa for each traveler, regardless of age.)
20. HAVE YOU PREVIOUSLY BEEN IN THE U.S. WHETHER IMMIGRANT OR NONIMMIGRANT?
No
When? 1998
Type of visa? Student
21. HAS YOUR U.S. VISA EVER BEEN CANCELED?
When?
By whom?
22. DO YOU INTEND TO WORK IN THE U.S.?
No
Yes
If YES, explain.
23. DO YOU INTEND TO STUDY IN THE U.S.?
No
If YES, write name and address of school as it appears on form I-20.
24. PRESENT OCCUPATION (If required, state past occupation)
Student
25. WHO WILL FURNISH FINANCIAL SUPPORT, INCLUDING TICKETS?
My father
26. AT WHAT ADDRESS WILL YOU STAY IN THE U.S.A.?
AZ
27. WHAT IS THE PURPOSE OF YOUR TRIP?
Visit
28. WHEN DO YOU INTEND TO ARRIVE IN THE U.S.A.?
NONIMMIGRANT VISA APPLICATION
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If you don't bounce out of bed each day with anticipation and enthusiasm, or if you have almost forgotten what it's like to feel REALLY GOOD, you may be depriving yourself, unknowingly, of what you have a right to expect from life. The following scientific findings may give you a new insight into nutrition and they are the basis on which our product, STAMINEX, was developed. It is the still unfolding story of the INTER-DEPENDENCE between nutritional factors and the absolute necessity for nutritional BALANCE.

Balanced Nutrition and Health

We all know that specific nutritional deficiencies are the cause of hundreds of different illnesses. We also know that, when a group of people are exposed to an infectious disease such as a cold or 'flu, some will *come down with it* and others won't. Why this is so is not precisely known, but we DO know that a healthy body has elaborate and complicated defense mechanisms to protect it from all kinds of threats to its well-being. The ability of these to function is closely related to nutrition. *At this time, is is common knowledge that EVERY nutrient – vitamin, mineral or protein – is effective ONLY when potentiated by OTHER nutrients.*

Protein and Vitamin A

A few years, ago, an American Medical team in India found thousands of children suffering from Kwashiorkor, a protein deficiency disease. They sent for tons of powdered milk but, to their amazement, IT DID NO GOOD. Months later, a second team of Doctors, specializing in eye problems, treated the children with Vitamin A along with the powdered milk. They immediately noted a remarkable improvement in the protein deficiency symptoms. It has since been established that without Vitamin A the body is unable to use protein.

Here is important nutritional information which may help protect your health AND improve your vigor and stamina.

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Iron Deficiency and Vitamin C

Iron deficiency anaemia is common in America, especially among women. The U.S.D.A. has calculated that, due to poor utilization, the dietary intake of iron should be ten times as great as the iron actually needed. It has long been established that, if the diet is improved with VITAMIN C, the absorption of iron can be increased up to 30%.

The list goes on and on. The essential amino acid METHIONINE cannot be metabolized in the absence of VITAMIN A. VITAMIN A cannot be absorbed without UNSATURATED FAT. ZINC deficiency inhibits the release of VITAMIN A stored in the liver. CALCIUM cannot be absorbed without VITAMIN D. MAGNESIUM is necessary to convert VITAMIN D into usable form. These complicated interactions are essential for the body to produce the estimated 10,000 compounds it requires to keep one healthy, happy and active.

Without these chain-reactions, proper absorption of all the necessary nutrients is no more successful than *the weakest link!*

What Does This Mean To You?

First of all, BEFORE you start shot-gunning yourself with Vitamins XYZ, or any other supplement you think you need, FIRST make absolutely SURE you have a complete balanced nutritional base. This is precisely what STAMINEX gives you.

Staminex and You

We have, literally, hundreds of letters from people who attribute an endless variety of benefits to STAMINEX. STAMINEX does not claim to CURE anything but now, for the first time, you can get an ideal complete nutritional base in ONE PRODUCT, including ALL recognized essential nutrients. Because STAMINEX is a concentrated balance of NATURAL ingredients such as desiccated, defatted Argentinean beef liver, yeast concentrate, wheat-germ oil, fish liver oil and much, much more, it is a treasure house of micro-nutrients, trace minerals and other, as yet unidentified, nutritional factors.

THIS PRODUCT WILL WORK FOR YOU. There is NO other product like STAMINEX. There is NO other product that can deliver what STAMINEX does. Give it a fair trial and, if you don't agree, your money will be refunded.

Where To Get Staminex

Famous Original Formula STAMINEX, STAMINEX with Stevia Extract and STAMINEX with Ginseng are available in leading health food stores throughout the United States. ASK FOR IT. If yours can't supply you, ASK THEM TO CALL US AND ORDER IT FOR YOU. Or, if you prefer, we will supply you directly. Simply call **1-800-243-6020** to request a free taste sample or, to place an order, we accept VISA, MasterCard and Discover.

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NATIONAL REVIEW

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■ LETTERS ■

SUITING UP

I write to correct the false impression created by your Sept. 16 article "Bowles's Luck" by Joel Mowbray. Mr. Mowbray suggests that I made a political decision not to sue Erskine Bowles in connection with losses to our state pension fund from improper investments by Forstmann Little.

The facts clearly establish that the defendants were chosen based on their individual involvement, as they must be. The core of our lawsuit is the allegation that Forstmann, acting by its general partners, invested Connecticut's pension-fund monies in a manner contrary to its assurances to the state, and then restructured certain aspects of the investments to destroy the value of state investments. Our lawsuit names as defendants all living Forstmann general partners whose names appeared either on the original offering statements or who were named in the statement filed with the SEC to document the challenged restructuring. Mr. Bowles's name did not appear in either connection, nor did that of at least one other general partner, Joshua Lewis.

Since then, we have learned of additional information that does provide an appropriate legal basis for suit against Mr. Bowles and Mr. Lewis. I have filed suit against them and will continue to pursue the matter vigorously. I have never met or spoken to Mr. Bowles, nor have I been contacted by him or by anyone acting on his behalf, as far as I know.

Richard Blumenthal, Conn. Atty. Genl.
Hartford, Conn.

JOEL MOWBRAY REPLIES: *As Mr. Blumenthal knows, defendants are named for their actions, not for signing on to certain documents. Erskine Bowles was clearly involved in investing "Connecticut's pension- fund monies in a manner contrary to [original] assurances to the state"—he was even on the board of directors of one of the two companies at the heart of the lawsuit. Mr. Blumenthal has acknowledged as much by naming Bowles—after the* NR *story came out—without adding any new substantive evidence in the refiling. The only "additional information" Mr. Blumenthal has come across is that voters don't like the look of a fellow Democrat mysteriously being spared.*

CHECKING IT TWICE

As former judges and current co-chairs of The Constitution Project's bipartisan Death Penalty Initiative, we write regarding Ramesh Ponnuru's Sept. 16 piece, "Bad List."

We take seriously the concept that a person is presumed innocent until proven guilty or acquitted at trial, or until the prosecution has dropped the charges. The legal standard has never been, nor should it be, "probably guilty," which Mr. Ponnuru uses in challenging the number of innocent individuals exonerated from Death Row. Though he says mere "technicalities" spared some, these technicalities are really the Bill of Rights that we all hold dear.

It does not matter whether Americans are supporters or opponents of the death penalty or whether we can agree on the exact number exonerated. Mr. Ponnuru recognizes that wrongful capital convictions are caused by "gross misconduct by prosecutors and police, or overreliance on the testimony of jailhouse snitches." They are also the result of incompetent defense lawyers. The bipartisan Innocence Protection Act now pending in Congress is a good start on reform and should be passed.

The Hons. Charles F. Baird & Gerald Kogan
Washington, D.C.

WORD UP

Re the word "niggardly" (The Week, Sept. 30): Ironically, it was Robert Mugabe, dictator of Zimbabwe, who made the PC crowd look silly. Invited to address the New York City Council, Mugabe said that he had to terrorize, murder, and expel white farmers because "they employ our people and pay them niggardly wages."

George E. Rubin
New York, N.Y.

Mahalia Jackson prayed to be relieved of niggardliness: "O Lord/Blot out my niggardy!" She wasn't asking God to smite racists or to make her white but to make her a more dutiful servant of the Lord. The young would be better served if they were taught the language of their country by one of its foremost artists.

Richard de Mille
Santa Barbara, Calif.

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Direct-to-Consumer Pharmaceutical Ads Benefit Patients

by John E. Calfee

In 1997, the U.S. Food and Drug Administration announced a reinterpretation of its rules on direct-to-consumer (DTC) advertising of prescription medicines. The effect of this reinterpretation was to modify guidelines for broadcast ads and therefore to increase the volume of DTC advertising several-fold. According to some critics, these advertisements deceive patients, promote overuse of medicine, and thus boost total health-care costs. A substantial body of research, consisting primarily of consumer surveys, allows us to evaluate these criticisms and draw preliminary conclusions about the effects of this advertising. This research supports the FDA's own assessment that DTC ads can provide substantial benefits to patients with little obvious cost.

The leading consumer surveys and other evidence suggest six tentative conclusions about the merits of DTC advertising. (I describe this evidence at length in a longer article cited at the end of this essay.) First, we can largely reject the suggestion made by critics that DTC advertising systematically deceives or misleads patients by, for instance, inappropriately downplaying risks and side-effects of drugs. The FDA tends to err overwhelmingly on the side of caution, frequently prohibiting even truthful and non-deceptive claims about drugs rather than risk allowing claims that might later prove to be misleading. The results of several consumer surveys strongly indicate that drug marketers are not suppressing or downplaying information about drug risks. It is very unlikely that widespread consumer deception has escaped detection by FDA regulators, who monitor ads closely and whose requests for changes are invariably acceded to by pharmaceutical companies.

Second, surveys provide direct and indirect evidence that DTC advertising provides valuable information to consumers, not just on obvious topics such as potential treatments or dosages, but also on risks and side effects. On the whole, DTC advertising appears to increase awareness of both the risks and benefits of drug therapy. This information is valuable for patients, in view of the proven difficulties of communicating risk information to them, as well as the fact that many consumers lack information about treatable medical conditions. The high levels of awareness of and attention to DTC ads also strongly suggest that consumers gain information about the core topics of these ads – symptoms of medical conditions, potential therapies, alternative dosages, and related topics – as a by-product of competitive advertising.

> ***Direct-to-consumer pharmaceutical ads can provide substantial benefits to patients with little obvious cost***

Third, DTC ads motivate consumers to seek additional information from many sources, but especially from physicians and pharmacists. Many of these consumers ask their doctors about specific medical conditions or illnesses for the first time. Given the overwhelming numbers of consumers who are aware of DTC ads, it is notable that between 14% and 27% of them (according to several recent surveys) said DTC ads caused them to ask their doctors about a condition they had not previously discussed.

A fourth finding is that DTC advertising causes almost no tension in the doctor's office, at least from the patient's perspective. Surveys show that very few respondents – usually under 5% – faced resentment or resistance from their doctors when talking about what they had seen in drug advertising or in asking for specific medicines. Overwhelming majorities said their physicians treated their questions as an ordinary part of office discussions.

Fifth, consumers like DTC advertising. Large majorities (on the order of 60% to 80%) think DTC ads give them useful information, empower them to make their own decisions about medicine, and help them in talking to their doctors.

Sixth, DTC advertising appears to yield significant indirect benefits for consumers. These benefits range from heightened awareness of the inherently risky nature of prescription drugs to better compliance with drug therapies and even motivation to pursue lifestyle and behavior changes that may reduce the need for pharmaceuticals. In particular, ads remind consumers to take their medications and refill their prescriptions.

In conclusion, the results of recent surveys strongly suggest that DTC advertising motivates consumers first to seek additional information – especially from physicians, and particularly for previously untreated or inadequately treated conditions – and then to work with their doctors to reach a decision about which, if any, prescription drug to use. Congressional and state legislators should keep these findings in mind as they consider proposed legislation that would restrict the ability of pharmaceutical companies to advertise their medicines directly to patients.

John E. Calfee is a resident scholar at the American Enterprise Institute in Washington, D.C. This article is adapted from "Public Policy Issues in Direct-to-Consumer Advertising of Prescription Drugs," published in the* Journal of Public Policy and Marketing *(vol. 19, no. 2, Fall 2002). The full article can be found at http://aei.brookings.org/admin/pdffiles/phpaQ.pdf.

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■ FOR THE RECORD ■

■ President **Bush**: "Countering Iraq's threat is also a central commitment on the war on terror. We know **Saddam Hussein** has longstanding and ongoing ties to international terrorists. With the support and shelter of a regime, terror groups become far more lethal. Aided by a terrorist network, an outlaw regime can launch attacks while concealing its involvement. Even a dictator is not suicidal, but he can make use of men who are. We must confront both terror cells and terror states, because they are different faces of the same evil." . . . "We must make sure this madman never has the capacity to hurt us with a nuclear weapon, or to use the stockpiles of anthrax that we know he has, or VX, the biological weapons which he possesses."

■ House minority leader **Dick Gephardt** on supporting Bush war resolution: "We disagree on many domestic issues, but this is the most important thing that we do. This should not be about politics. We have to do what is right for the security of our nation and the safety of all Americans." . . . Sen. **Joe Lieberman** (D., Conn.): "Every additional day that Saddam Hussein is in power in Iraq is an additional day of danger for the Iraqi people, for his neighbors in the region, particularly for the people and military of the United States of America, and indeed for the people of the world." . . . Sen. **John Warner** (R., Va.): "We cannot let the U.N. think in any way they can veto the authority of this president or the ability of this nation to defend itself." . . . CIA report: "Since inspections ended in 1998, Iraq has maintained its chemical weapons effort, energized its missile program and invested more heavily in biological weapons."

■ **Jesse Jackson**, in Elgin, Ill. *Courier News*: "The sky is not falling, and Saddam is not coming." . . . Sen. **Ted Kennedy** (D., Mass.): "I do not accept the idea that trying other alternatives is either futile or perilous, that the risks of waiting are greater than the risk of war. . . . Indeed, by launching a war against Iraq now . . . the United States may well precipitate the very threat that we are intent on preventing: weapons of mass destruction in the hands of terrorists." . . . House majority whip **Tom DeLay**: "Senator Kennedy offered the most thorough and cohesive argument for complacency so far."

■ **Al Gore**: "America's economy is in big trouble and I'm worried our current approach is failing us." . . . White House spokesman **Ari Fleischer**: "I don't know that any answer is necessary or any rebuttal is necessary. Nobody pays a lot of attention to what the former vice president said." . . . Former Sen. **Paul Simon** (D., Ill.) on Gore, in *Boston Globe*: "I think there's a general consensus among Democrats that he would not be the strongest candidate in [2004]." . . . Sen. **Robert Byrd** (D., W. Va.) on MSNBC: "I'm here to tell you

"You attain spiritual serenity your way, and I'll attain spiritual serenity my way!"

that I'm for Al Gore 100 percent. Lock, stock, and barrel. Lock, stock, and barrel." . . . *Boston Herald* poll of Massachusetts voters: Gore has 36 percent favorable rating, 45 percent unfavorable. . . . **Bill Clinton**: 42 percent favorable, 47 percent unfavorable. . . . **Hillary Clinton**: 43 percent favorable, 44 percent unfavorable.

■ *Roll Call*'s **Stuart Rothenberg** says Republicans have "advantage" in 224 House races, compared to 211 for Democrats, making congressional takeover for Dems "a tall order." . . . Running even in polls with **Shannon O'Brien** (D.), Massachusetts gubernatorial candidate **Mitt Romney** (R.) promises to appoint women to half of top-level positions in his administration. . . . In Maryland governor's race, *Baltimore Sun* poll shows Rep. **Robert Ehrlich** (R.) in dead heat with Lt. Gov. **Kathleen Kennedy Townsend**. . . . California governor **Gray Davis** (D.) leads GOP challenger **Bill Simon** 45 percent to 35 percent, in *Los Angeles Times* poll. . . . *The Hotline* says Democrats would net 6 governorships if current polling stands.

■ Rep. **Tom Tancredo** (R., Colo.) says he's no longer beholden to term-limits pledge. . . . George Mason University's **Daniel D. Polsby** on how computer technology affects congressional redistricting, in UPI: "There are rather few contestable districts compared to ten or twenty years ago." . . . Voter turnout in primaries was 17 percent this year, about same as record low set in 1998, according to Committee for the Study of the American Electorate. . . . **Nancy Reagan** on whether her husband knows who she is, on CBS: "I don't know."

■ In Pew Hispanic Center poll, 56 percent of Hispanics call themselves Democrats and 25 percent Republicans, and 55 percent say abortion should be illegal in most or all cases. . . . Sales of abortion drug RU-486 increase by 36 percent since last year, and it has been used 100,000 times since FDA approval in 2000. . . . Air Force turns over South Dakota ICBM site to Interior Department for creation of Cold War museum.

■ Deputy assistant secretary of state **Daniel Fisk**: "Castro and his government are actually impeding our efforts to defeat the threat of terrorism." . . . India and Pakistan test missiles capable of carrying nuclear warheads. . . . Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan sign treaty renouncing nuclear weapons.

■ House majority leader **Dick Armey**, at farewell dinner: "I gotta tell you, while you're all singing 'You're Gonna Miss Me When I'm Gone,' [my wife] Susan's been down in Texas singing 'It's So Miserable Without You It's Almost Like You're Here.'" **NR**

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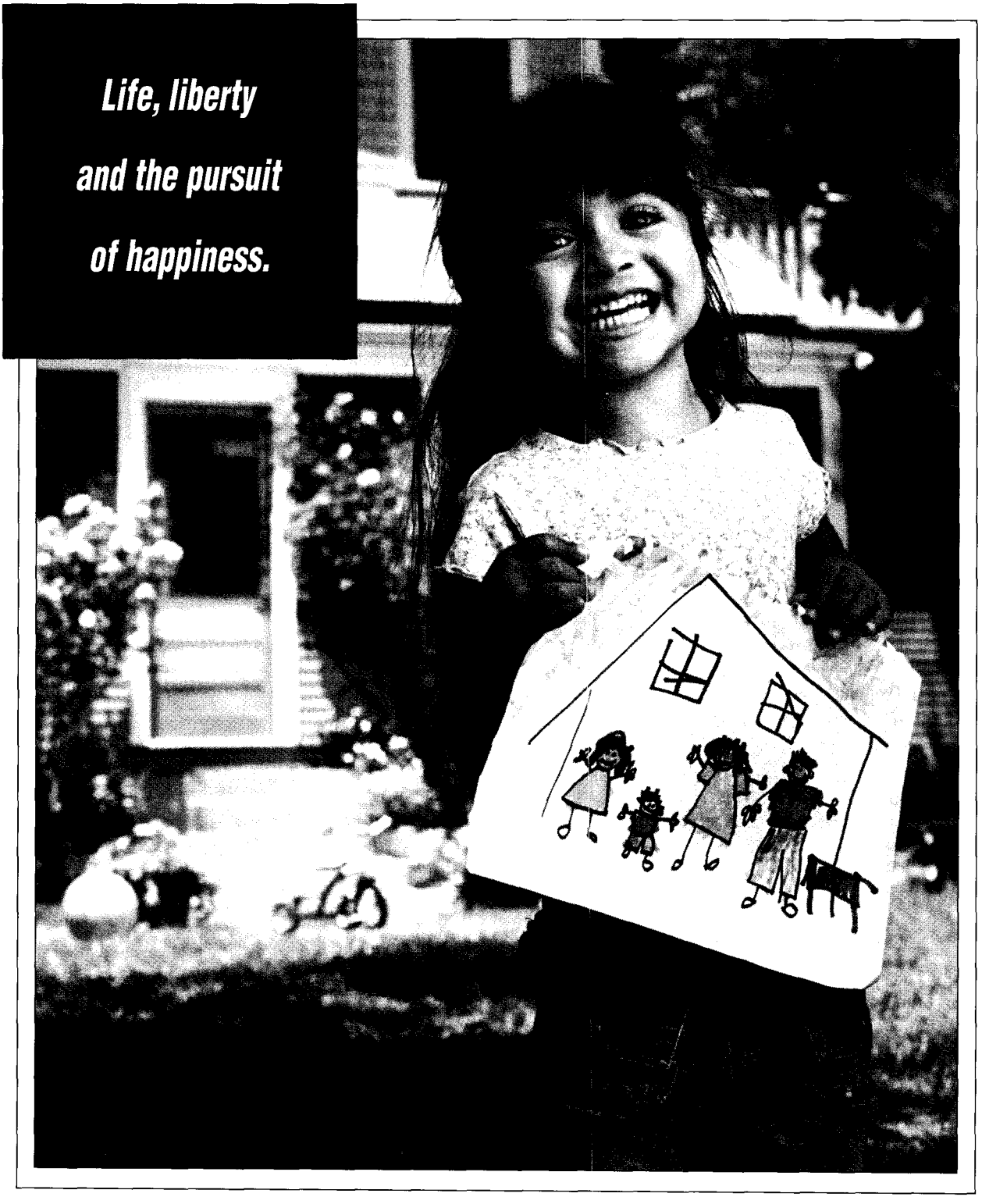

They're the first generation of Castillas to own their own home. They learned about the home buying process and their financing options from a website developed by Freddie Mac. The same company that bought their mortgage from their bank. At Freddie Mac, we work with community groups all over the country to help educate first-time homebuyers. Because families like the Castillas just need a place to start. Homebuyer education could well help 10 million families buy their first homes by the end of this decade. And help us create a nation of homeowners. For details, visit freddiemac.com/homebuyers.

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THE WEEK

■ The British papers are abuzz about the news that John Major had an affair before he became prime minister. We're more upset that he was unfaithful to Margaret Thatcher.

■ Although its tenor was anti-war, Al Gore's speech on Iraq was a carefully hedged bet. It was written so as to look supportive of military action in the event it takes place and goes well. Now Gore has given another speech, on the economy. Again, he was cagey. President Bush's fiscal policy, Gore said, has failed and needs to be reassessed. He noted that President Reagan, at a similar point in his presidency, took back some of his tax cuts. Does this mean that Bush's tax cuts should be undone? Gore didn't say. On the two most important issues of the moment, the war and the economy, the former vice president—a man who has some claim to being the leader of the opposition—refuses to take a position. Perhaps he will take them by 2004, if anyone still cares.

■ A Massachusetts initiative to end bilingual education attracted a pair of predictable opponents on October 4, when liberal senators Ted Kennedy and John Kerry announced their opposition. Much more surprising, and dismaying, was the decision by Colorado governor Bill Owens, a steadfast conservative, to urge the defeat of a similar measure in his state. Owens avoided the ethnic pandering that other Republicans have adopted in the past, instead citing small-print concerns about potential litigation and the rights of parents who unwisely but sincerely want their kids in native-language-maintenance programs. It's true that these initiatives are rough correctives. They are also necessary, if public schools are to ensure that immigrant children learn English. Polling suggests that Massachusetts voters will pass Question 2 handily. In Colorado, support for Amendment 31 is much more in doubt because of the governor's statement and heiress Pat Stryker's writing of a $3 million check to beat it. If Amendment 31 fails, Owens should make good on his pro-English rhetoric and push serious reform of bilingual education through his legislature.

■ About the best that can be said about the Republicans on Social Security is that so far their retreat has been orderly. A few of their congressional candidates have repudiated private investment accounts. Most of them are instead trying to execute a too-cute maneuver: disavowing the word "privatization" while leaving open the possibility of supporting private accounts. Sensing the Republicans' fear, the Democrats have been getting bolder and bolder. The DNC's website has a cartoon depicting President Bush pushing an elderly woman in a wheelchair down a slope. (The slope represents the stock market.) Amid all this cowardly evasion and demagoguery, one can easily forget that a majority of the public actually favors private accounts. There is one bright spot: A business group—COMPASS—is running ads that make the case for reform. Let's hope Republicans are watching.

■ It is possible to doubt that we will sleep more soundly for having a new Department of Homeland Security. But doubt of this kind is not what is holding up the creation of the department. Senate Democrats believe the department will indeed make us safer. Yet they will support it only if they can limit the president's management flexibility. Current law allows the president to waive collective-bargaining agreements in the interest of national security; Senate Democrats want to take that power away from him. That means the agreements would stay in force, and that the new department would be much less effective. Under one such agreement, a union has already filed a grievance against the Customs Service for complying with an "orange alert" without first consulting the union. Another union agreement prohibits re-deploying Border Patrol tactical teams if suitable restaurants, drug stores, and barbershops aren't available at the new post. Of course Tom Daschle had a fit when President Bush suggested that the senators who are blocking the creation of the new department care more about saving union jobs than saving American lives. The charge is politically damaging and demonstrably true.

■ In making the case against going to war with Iraq, the Left is trotting out an old canard about combat: the assertion that minorities bear the brunt of casualties. Democratic Senate candidate Ron Kirk of Texas has repeated this claim, and so has TV personality Chris Matthews. But it simply isn't true, and never has been. During the Vietnam War, blacks constituted 12.5 percent of all deaths, while they composed 13.1 percent of the age-eligible population. Today, blacks are more likely to serve in the military than whites, but are "underrepresented" in the infantry, which traditionally suffers the most deaths. There's a simple reason for the discrepancy: Many blacks join the services for the purpose of learning skills—often ones they didn't receive in urban schools—and wind up in support functions. Whites are more likely to be looking for adventure. Members of both groups serve their country honorably, no matter how they do it. The racial bean-counters do a disservice not only to the truth, but to our uniformed personnel.

■ The Department of Health and Human Services announced that states could, if they so chose, use the federal money they get under the State Children's Health Insurance Program to cover unborn children. The usual suspects—reprising their reaction when prenatal coverage was first proposed last winter—decried the "anti-choice" administration's latest move in a conspiracy to undo *Roe* v. *Wade*. Kate Michelman of the

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On the first anniversary of 9/11, Canada's Prime Minister, Jean Chrétien, made insensitive and appalling statements. You may have read about them. He suggested that Americans and the Western World were partly to blame for the terrorist attacks. He said the West was too rich, too greedy and too arrogant.

His comments have appalled many Americans and rightly so. But Americans aren't the only ones upset. A lot of Canadians are angry too.

Prime Minister Chrétien did not speak for all Canadians when he made those thoughtless comments.

Simply put, nothing excuses terrorism. Nothing excuses the slaughter of innocents. The terrorists behind the September attack had no cause but evil, no goal but destruction, and no aim but murder.

Canadians understand this even if Prime Minister Chrétien does not.

And most Canadians understand something else: America is our greatest friend and closest ally. Canada and the United States will always stand "Together for Freedom."

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National Abortion and Reproductive Rights Action League slipped up, however, during an interview on the subject, referring to a "pregnant mother." (The word "mother" is typically off-limits for abortion advocates.) After a day or two, the uproar over the administration's action largely died down, though. Even the most adamant know they won't get too far convincing poor mothers that federally funded health care for their unborn babies is a right-wing plot.

■ The Left likes to portray itself as the party of the working man, of the humble masses—but they can get awful snooty on you when it suits their interests. Take Bill Richardson (please). He's running for governor of New Mexico against a man named John Sanchez. The Republican has had a varied working past: ran a roofing business, worked as a flight attendant. The Democrats said, in an ad, "While Bill Richardson was cutting taxes for New Mexico [he was?], John Sanchez was serving orange juice at 30,000 feet." Remember that the next time Democrats go on and on about the working man.

■ Leno and Letterman can breathe a sigh of relief. The Federal Election Commission voted to allow them to continue to make jokes about political candidates in the weeks before elections. That the question even came up is a testament to the perversity of the McCain-Feingold campaign-finance law, which President Bush, to his shame, signed in March and which the FEC must now decide how to implement. The exemption for late-night comedians is welcome, but it does raise an obvious question: Why should they have more rights than political action committees, citizen groups, and even "special interests"? The Supreme Court cannot strike down this law fast enough.

■ The feds arrested four members of the so-called Portland Six, who allegedly conspired to join al-Qaeda in order to wage war against the United States. Much of the media portrayed the arrests as somehow unsporting. It is true that the accused do not appear to have done any damage. Three of them attempted to join Osama in Afghanistan after the 9/11 attacks, but they only got as far as Bangladesh and Indonesia before running out of travel money and heading home. *Newsweek* scoffed that the case against these homegrown radicals "seems to point more to a group of failed terrorist wanna-bes than trained Qaeda killers." Well, we suppose the FBI could always wait for a successful attack before arresting terrorist conspirators. But let's not forget that the 19 hijackers were mere "wanna-bes" until they boarded those four planes on September 11.

■ In mid September, *New York Times* columnist Paul Krugman wrote that Iraq war-talk was intended to distract from the scandal of corporate corruption; indeed, Army secretary Thomas White was a "corporate evildoer." Why? Because, according to an article in *Salon*, when White was an executive at Enron, he urged a colleague by e-mail to "hide" one of the company's losses. But a month later, *Salon* pulled the story, saying that it could not "confirm the authenticity" of the e-mail. In other words, it might well be phony. Websites of record are not supposed to rely on such stuff. Four days after the *Salon* retraction, Krugman wrote that he "erred by citing" the e-mail. Krugman evidently continues to think that White is evil and that concern with Saddam is a wag-the-dog charade, but we are thankful for small favors.

■ A jury awarded $28 *billion* in punitive damages to a California woman in her suit against Philip Morris, the largest such penalty ever. Betty Bullock, 64, has lung cancer, for which the jury had already awarded her $850,000 in economic damages and pain and suffering. The punitive damages were thus 33,000 times greater than the compensatory damages. Ms. Bullock was fully aware of the health risks of smoking, having been warned by doctors for over four decades and urged by family members to quit. Forget about playing the lotto: Just grab a pack of cigarettes and hire a lawyer—the odds are better, and so is the money.

■ A certain Taha Yassin Ramadan, one of Iraq's two vice presidents, has suggested that the difference of opinion that has arisen between his country and ours might be resolved by a duel. Saddam Hussein could meet George W. Bush on some neutral ground, with Kofi Annan as referee, and the two national leaders could settle the matter like gentlemen. It strikes us that there are a number of drawbacks to this arrangement. For example, given the persistent rumors about Saddam Hussein's employing a large corps of doubles, how would we know that the Saddam facing off against our president was the genuine article? On the other hand, according to the traditional rules of dueling, the challenged party gets to choose the weapons, doesn't it? We choose carrier battle groups.

■ In a major diplomatic success, the Bush administration has thwarted attempts by the European Union to force its member countries into line on the subject of hauling American citizens before the new International Criminal Court for "war crimes." The main purpose of the ICC is to give free rein to activist judges to intimidate and harass hate-figures of the international Left, the model case being the shameful 16-month detention in London of retired Chilean leader Augusto Pinochet. The administration has had no intention of permitting U.S. citizens to be subject to similar indignities, and has acted with admirable energy to prevent concerted EU action. Following a threat to veto U.N. peacekeeping operations, the administration got a Security Council agreement allowing us to make deals with individual countries. Faced then with the EU, the president and secretary of state won congressional action denying military aid to countries that would hand over Americans on their territory to the ICC. The British, Spanish, and Italians caved, and on this key issue of national jurisdiction European unity bit the dust. We have sometimes been critical of the current secretary of state. On this issue he showed imagination and determination, and scored a brilliant victory over anti-Americanism. Mr. President, Mr. Secretary: Thank you.

■ German chancellor Gerhard Schroeder won a razor-thin reelection campaign last month, in part by beating on America's Iraq policy; he pledged to send no troops to Iraq, even if the

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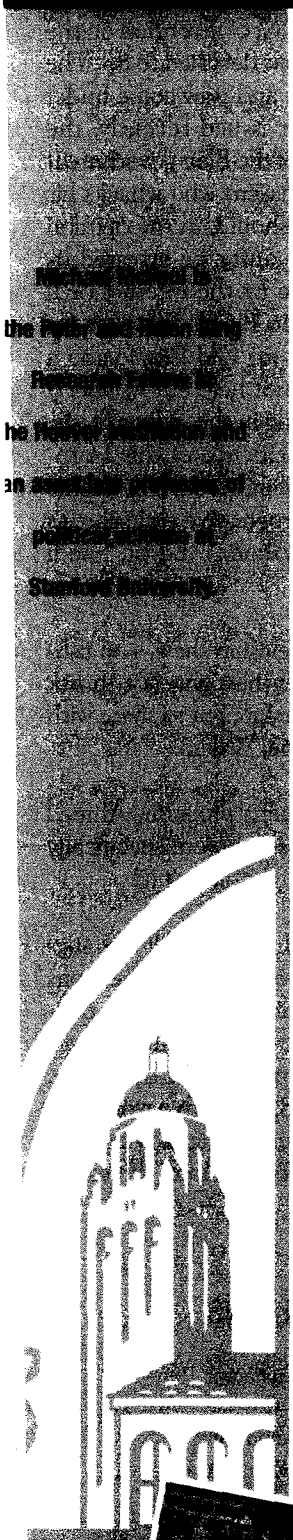
What about Iran?



Michael McFaul is the Peter and Helen Bing Professor in the Hoover Institution and an associate professor of political science at Stanford University.

President Bush has outlined a strategy for dealing with Iraq but not with Iran. Although the goal may be the same—democratic regime change—the options being discussed for Iraq do not apply to Iran. Because the fate of the two countries are intertwined, it is imperative that President Bush explicitly make the distinction and articulate his policy toward Iran before proceeding with his plans for Iraq.

The Bush administration must stop treating Iran as a unitary actor and instead recognize and support the allies of liberty there, while seeking to contain the capabilities and ambitious plans of their enemies.

The promotion of liberty in Iran requires a new engagement with democrats within the country, in both the state and the society. Iranian president Khatami is not, as some insist, the Gorbachev of the anti-Islamic revolution because he does not control the guns. Nor has a Yeltsin-like figure (i.e., someone determined to destroy the ancient regime rather than reform it) emerged in Iran. Still, the parallels between the late Soviet period and the current situation in Iran are striking. Those in Iran who do control the guns (and the courts, economy, and media) are the same corrupt dinosaurs who are trying to keep afloat a revolutionary regime that has lost its spark and repress a society eager for change.

This analogy suggests a similar strategy for American foreign policy—sustained praise for and encouragement of reformers within the state and quiet support, including material support, for societal actors seeking to change the system altogether. Senior U.S. officials should meet directly with Khatami. In parallel, the Bush administration should launch an active engagement strategy with Iranian society, including more broadcasting time for Radio Free Europe targeted at Iran, more exchanges between scholars, business people, and think tanks, and more educational opportunities for Iranian students in the United States.

In engaging the democratic side of state and society within Iran, the Bush administration also must do more to contain the antidemocratic forces. Most important, President Bush must call on his friend in Moscow, Russian president Vladimir Putin, to stop selling Iran nuclear technologies. The Bush administration should also insist on an international weapons inspections regime in Iran.

Finally, Bush should state clearly that the United States will not invade Iran. **The current ambiguity about American plans for Iran strengthens hard-liners and weakens the prodemocratic movement because no one wants to appear unpatriotic.** Bush should also state his preference for maintaining the territorial integrity of Iraq and Iran so that Iranian militants do not delude themselves into thinking they could seize part of a weakened Iraq and so that Azeris within Iran do not aspire to independence in a democratic Iran.

The demise of the last radical fundamentalist regime in the Islamic world would represent a great defeat for those such as Osama bin Laden who aspire to create such regimes. A democratic and Islamic Iran would be a powerful positive model for the region.

— Michael McFaul

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U.N. agreed, and party faithful compared President Bush to Caesar Augustus and (more gallingly, given the comparison-makers) Hitler. The American response has been what diplomats would call "frank." President Bush did not congratulate Schroeder on his re-election—a routine courtesy—and secretary of defense Donald Rumsfeld snubbed his German counterpart at a NATO meeting in Warsaw. So badly have fences deteriorated that the task of mending them will fall to foreign minister Joschka Fischer, a member of the Green party and a former left-wing thug, who seems to have experienced a true change of heart. But the American response must go beyond strategic displays of pique, however justified. We must work more closely with the unambiguously pro-American nations of Europe: Italy, Spain, and Poland, in addition to Britain. Such relationships will serve us in good stead even if the Germans come to their senses.

■ The columnist Mark Steyn collected some eye-popping specimens of anti-American absurdity. Begin with Nelson Mandela, who said that it's the United States, not Saddam Hussein, that is "the threat to world peace." Then we had Swedish prime minister Goran Persson, who wishes to build up the EU so that "we can develop a balance to U.S. world domination." Pass over Schroeder and the Germans for a moment. The cake is taken by one of our neighbors to the north, Canadian transport minister David Collenette, who regretted the loss of the Soviet Union, because who is there now to check America's "bullying"? Just a nice little reminder—or clutch of reminders—that we are not well and truly and universally loved. Or did we need any reminding?

■ Bertrand Delanoe, the openly gay mayor of Paris, suffered an assassination attempt at an all-night party when a thug stabbed him in the stomach. Delanoe, who was not seriously hurt, carried on with great *élan*, urging the crowd to continue their revels, even as he was carted off to the hospital. Police arrested a 39-year-old man described as a "devout Muslim" who is said to have told French authorities that he acted out of hatred for homosexuals and politicians. The murdered Dutch politician Pim Fortuyn, who was also openly gay, routinely warned that European civil order was in danger from immigrant Muslim populations who refuse to assimilate. For this he was bitterly denounced by multiculturalist elites as a racist. There has been little outrage over the Paris attack, nor even an honest questioning of what, if anything, the Islamic beliefs of the assailant had to do with his act. Perhaps to do so is to court legal trouble. France is a country in which one novelist (Michel Houellebecq) is on trial for insulting Islam, and a journalist (Oriana Fallaci) is about to be brought up on the same charges. One need only consider what kind of international uproar would have followed had Delanoe's would-be assassin been a gay-hating fundamentalist Christian to appreciate the hypocrisy that infects the thinking of Western opinion leaders today.

■ Deep in the bowels of the United Nations lurks a "Committee on the Rights of the Child." This august body is charged with monitoring the conditions of children in all those countries that have ratified the U.N. Convention on the Rights of the Child—a thing the U.S. has declined to do. The British were not so wise. They ratified, and now come under the committee's scrutiny. In a report issued recently, the committee deeply regretted the failure of the Blair government to ban the smacking of children. The parent who whacks his child across the bottom with a slipper should, in the opinion of these guardians of justice and humanity, be arrested by the police. Responding to this censure by the international guardians of childhood innocence, Mr. Blair's Minister for Young People (is there also a Minister for Old People and a Minister for the Middle-Aged, we cannot help but wonder?) agreed that there was too much spanking in the scepter'd isle, and promised efforts to reduce the incidence of this loathsome practice. Members of the U.N. Committee on the Rights of the Child include such paragons of progressive child care as Brazil, Burkina Faso (hang a left at Ghana), Egypt, Saudi Arabia, and Thailand.

■ The great Lech Walesa has a new television show—on fishing. That's what freedom means, really: the right, not to risk your neck against a Communist dictatorship, but to share with others the pleasures of angling. Well done, Walesa.

■ The head of Iran's missile-development program, Ahmed Wahid, revealed that his country's missiles were specifically designed to strike Israel. Nice to be thought of, isn't it?

■ Conservative activist-entrepreneur Jim Woodhill has suggested that we target the Islamic world with "WCDs," Weapons of Cultural Destruction—swamping their airwaves with broadcasts of *Ally McBeal*, for example. That such a strategy might indeed have devastating effect was illustrated recently in Iran, where it is unlawful for a man to shake hands with a woman in public. Presenting an award to twentysomething movie director Ali Zamani at a film festival in the city of Yazd, fiftysome-

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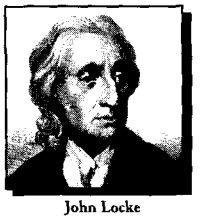
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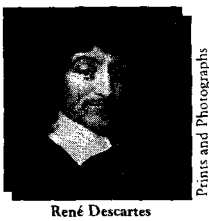
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DANIEL ROBINSON is a distinguished Research Professor of Psychology at Georgetown University since 1971. Since 1990, Professor Robinson has lectured in Philosophy at Oxford University, where he is a Faculty Fellow at Linacre College. He is past president of two divisions of the *American* Psychological Association: the *Division of History of Psychology* and the *Division of Theoretical and Philosophical Psychology.* He is editor of the *Journal of Theoretical and Philosophical Psychology.*

He is author or editor of more than 40 books, including *Wild Beasts & Idle Humours: The Insanity Defense from Antiquity to the Present* (Harvard, 1996), *An Intellectual History of Psychology* (3rd edition, Wisconsin, 1995), *The Mind: An Oxford Reader* (Oxford, 1998) *and Aristotle's Psychology* (Columbia, 1989).

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thing actress Gohar Kheirandish planted a kiss on the recipient's forehead. The two were promptly arrested, together with a local Culture Ministry official thought to have been complicit in the outrage. All were charged with "disturbing public morality," before the men were released on stiff bail. Thundered an editorial in one government newspaper: "Our enemies are trying to harm Islam through our culture." Bearing in mind the social, physical, and mental state of much of the Islamic world, and the ever more obvious yearning for normal life among the people of Iran, perhaps this is indeed something we ought to be doing. Bring on the WCDs.

■ Gretta Duisenberg keeps herself busy campaigning against Jews. Another one, you may say. But Gretta is not just any old nut-case, she's the wife of Wim Duisenberg, president of the European Central Bank in Frankfurt, and about the only Dutchman anyone in the rest of the world has ever heard of. Last April she hung a Palestinian flag over the balcony of her home in a fashionable part of Amsterdam not too far from where Anne Frank lived. This is when Palestinians were blowing up Israelis with alacrity. When her neighbors complained, she told them that "an elite club of rich American Jews" were to blame for the plight of the Palestinians. Speaking at a recent pro-Palestinian rally in Amsterdam, our Gretta compared Israel under Sharon to Nazi Germany and apartheid South Africa. Now she is collecting signatures for a petition in favor of Palestine. Journalists asked her how many signatures she hoped to get. "About six million," she replied. This distinguished member of the ancient and elite club of rich European Jew-haters then gave a hearty laugh. Husband Wim the banker says all this has nothing to do with him, which makes him an honorary member of the same club.

■ Billed as a follow-up to last year's U.N.-sponsored conference in Durban, the African and African Descendants' World Conference Against Racism drew some 300 delegates to Bridgetown, Barbados, earlier this month. When members realized that about a dozen whites and Asians had come too, however, a motion was made to have them ejected. The motion passed. "We told them emphatically that we don't want to be sitting down with no Europeans or Asians," said Kwaku Bonsu of the British delegation. Among those asked to leave was Martin Pile, who is married to a black Barbadian and has lived in Barbados for over two decades. Pile's daughter was deemed black enough to stay, but left the conference in protest—as did delegates from Colombia, Russia, South Africa . . . and even Castro's Cuba. Conference chairwoman Jewell Crawford, an American, later explained to the the Barbados daily *Nation* that, as the expelled whites and Asians were on their way out, "I suggested that they get together among themselves, just like we're doing now, and plan and strategize, talk about ways that they can help to eradicate racism."

■ Would war with Iraq be unjust? That is what Bishop Wilton D. Gregory of the United States Conference of Catholic Bishops told President Bush in a recent letter. But the bishop's arguments were sloppy, or weakened by bad judgment. The "moral credibility" of war, Bishop Wilton said, depends on the sanction of "legitimate authority." The catechism gives that authority to "governments." But the bishop also snuck in "international sanction, preferably by the U.N. Security Council." Not so fast—though U.N. bureaucrats would like to rule the world, they don't yet. Bishop Wilton quoted the catechism's directive that a war "must not produce evils . . . graver than the evil to be eliminated." But "war against Iraq," he added, "could have unpredictable consequences." This sets the bar too high. If those in authority have responsibly weighed likely outcomes, they have done their duty. The bishop also warned that a war "could have incalculable consequences" for civilians. This, too, is an argument for pacifism. All wars could have incalculable consequences, but civilized warmaking has steadily refined its destructive impact. What finally is the *casus belli*? The catechism requires "lasting, grave and certain" damage inflicted by an "aggressor." Bush's doctrine of pre-emption holds that the reasonable prospect of such damage is sufficient. Is Bishop Wilton right to ignore it? Two clerics thought not. "We are in a situation," said Bishop Richard Chartres of the Church of England, "in which the old doctrines of deterrence have been undermined by the character of modern terrorism." At home, Richard Land of the Southern Baptist Convention asked whether anyone could "doubt that when [Saddam] has developed nuclear weapons . . . he will use them against America and her allies?"

■ In the course of her performance at last month's Democratic National Gala, Barbra Streisand quoted lines purportedly spoken by Julius Caesar in a play purportedly written by Shakespeare: "Beware the leader who bangs the drums of war in order to whip the citizenry into a patriotic fervor, for patriotism is indeed a double-edged sword. It both emboldens the blood, just as it narrows the mind. And when the drums of war have reached a fever pitch and the blood boils with hate and the mind has closed . . ."—well, you get the idea. The lines aren't from the 1599 *Julius Caesar*, of course; they're an Internet hoax that first surfaced in December 2001. Streisand later acknowledged the error, but insisted that "Whoever wrote this is damn talented, and should be writing their own play." God forbid. We're nervous enough thinking about those drums waiting to whip us into a double-edged sword.

■ *Barbershop* is a wise, funny, and popular comedy centered around the black men who frequent a barbershop in the working-class South Side of Chicago. It was written, directed, and produced by blacks. Its cast is almost entirely black. And it has been a big hit not only with black audiences, but with non-blacks as well. So why are Jesse Jackson and Al Sharpton so down on the movie? Because it features black people saying things of which they do not approve. The barbershop is a place where men are free to speak their minds. In this spirit, a crusty, politically incorrect old barber named Eddie opines that Martin Luther King Jr. was—how to put this?—unfaithful to his wife, and that Rosa Parks was not the first black southerner to refuse

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to sit in the back of the bus, but unfairly gets the glory. Other barbers object to this, and one tells Eddie, "You better not let Jesse Jackson hear you talk like that." To which Eddie responds with a robust Anglo-Saxonism directed against Jackson, one that cannot be printed here. Jackson and Sharpton have demanded that MGM remove the remarks about King and Parks from DVD versions, but the studio has refused. *Barbershop* preaches that young blacks need to work hard, quit obsessing over victimization, support their communities, and get serious about the future. Maybe Jackson and Sharpton should watch it again.

■ At his most left, journalist Christopher Hitchens always hated liberals and neocons worse than plain men of the Right. They were heretics and deviants. We were heathen, to be polished off after the revolution, but worth jesting with now. (He and we also shared equivalent tastes in liquor.) He was capable of deviations of his own; during time-outs from bashing Mother Teresa, he was a doughty foe of the Clintons. September 11 worked a change upon him. He flayed what, though masked as pacifism and multiculturalism, can only be called the terror-worship of the Left. He supported the liberation of Afghanistan, and he supports the liberation of Iraq. At last he has drawn a painful conclusion: *The Nation*, where he has written for over 20 years, "is becoming the voice and the echo chamber of those who truly believe that John Ashcroft is a greater menace than Osama bin Laden." Accordingly he has surrendered his berth. Hitchens is no man of the Right—but the enemy does not make that distinction. We will be in the same trench for years to come.

■ One of the abiding fallacies of our age is the belief that since new departures in art and literature are sometimes shocking, anything that shocks must *ipso facto* be creatively original. One of the numberless beneficiaries of this elementary logical error has been the "poet" Amiri Baraka, who first came to public attention in the 1960s as an organizer of race riots, under his original name of LeRoi Jones. In spite of, or quite possibly because of, their lacking any such soul-denying Ice People characteristics as rhyme or meter, Mr. Baraka's anti-Semitic and white-hating fulminations so touched the hearts of New Jersey's state Council on the Arts that they appointed him state poet laureate, with a $10,000 stipend and a two-year term of office. At a poetry festival shortly afterward, Mr. Baraka delivered himself of some poetic reflections on the attacks of last September: "Who knew the World Trade Center was gonna get bombed / Who told 4,000 Israeli workers at the Twin Towers / To stay home that day / Why did Sharon stay away?" Hearing of this, New Jersey governor James McGreevey at first attempted to fire his laureate, then, having learned that he had no power to do that, asked him to resign. Naturally Mr. Baraka will do no such thing. Just as naturally, the *New York Times* favors his continuing in office: "Mr. Baraka is a powerful and respected poet who likes to court outrage." Just like Longfellow, you see? Just like Poe, Whitman, Eliot, and Pound. A giant of our culture, a literary monument.

IRAQ

Decision Time

As Congress prepared to vote on whether to authorize war with Iraq, President Bush made the case one more time. Speaking in Cincinnati, Bush noted that the Iraqi regime has chemical and biological weapons and seeks nuclear ones; that it has not hesitated to use what weapons it has been able to use; and that the regime sponsors terrorism and aggression. He explained that attempts to deal with Iraq by methods short of war—including sanctions, inspections, and limited military strikes—have all failed. The regime continues to move ever closer toward having the weapons it wants. And the longer we wait before acting, the closer it will get.

The president made a strong case. So strong, in fact, as to raise the question of why the administration is going through the inspections charade once more. The answer, of course, is that it considers it necessary to propose thorough inspections in order to build support at the United Nations and at home. Bush hopes to make these inspections tougher than in the past. This time, he says, "inspectors must have access to any site, at any time, without pre-clearance, without delay, without exceptions." It is unlikely that Saddam Hussein would agree to this demand, and making it is a way of asserting that his regime is dangerous. The risk inherent in this gambit is that it may tie down the administration in procedural battles with nominal allies and make the administration's policy a hostage to the U.N. Bush will simply have to force the U.N. to live up to its responsibilities—by continuing to insist that we are prepared to act without its support if necessary. If the U.N. balks, so much the worse for the U.N. It would merely prove itself irrelevant.

The only clear mistake the Bush administration has made in recent days was to send out White House spokesman Ari Fleischer to say that the Iraqi problem could be solved at the price of "a single bullet." Fleischer later took back the remark. But it nonetheless suggests an inclination within the administration to promote a coup in Iraq. A coup would not be in America's interest, however, unless it fundamentally weakened or altered the Iraqi regime. It is a totalitarian state that needs to be dismantled, not merely given a new leader. If we want to affect the course of events in Iraq after Saddam, as we should, there is no alternative to our direct involvement.

Fleischer's remark was troubling, but also an isolated gaffe. The conduct of the Democrats has been dismaying. Some of them, to be sure, have been clear-eyed about the need for regime change in Iraq: One thinks of Joe Lieberman, Evan Bayh, and especially Dick Gephardt. And most congressional Democrats will probably end up voting to allow the president to make war. But in general, the Democrats' contributions to the debate have been more carping than constructive. They first demanded that a war be debated, then protested when it was. They still speak as though war were an issue less important than a "patient's bill of rights." They said that there were important

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questions to be addressed—and then failed to address them. They said they wanted the U.N. to make the decision for them. They wrung their hands; they stroked their chins.

Some of them did worse. Al Gore gave a slippery speech in which he insinuated that the president was promoting war for self-serving political reasons. Most notoriously, congressmen Jim McDermott and David Bonior went to Baghdad to pronounce themselves distrustful of Bush, willing to accept Saddam's promises "at face value," and convinced that America had committed war crimes in the first Gulf War (this last an Iraqi propaganda claim with no credibility). Other Democrats said that they disagreed with McDermott, Bonior, and even Gore. Few said that they were appalled at their disgraceful behavior.

The Democrats and the U.N. have much in common. The Democrats claimed to want a debate that they really feared; the U.N. claims to want a responsibility it has no intention of actually exercising. Now President Bush is forcing both to make a decision they would prefer to put off. It's up to them to demonstrate that they are up to the challenges of our time.

OBITUARY

Walter Annenberg, R.I.P.

He was a large man by every measure of the word, and when he was appointed ambassador to the Court of St. James's, "they" scoffed, James Reston opining that somebody more impressive should have been named by President Nixon for that august role. He surprised everybody, and a couple of years after his five-year term, Queen Elizabeth knighted him. "At least the Queen thought I did a good job," Annenberg later commented.

We visited at Winfield House during his stay. The ambassador's residence glowed with his own art, brought in from his collection, which resided at his châteaux in Philadelphia and Palm Springs. He told one or two undiplomatic stories, one of them at the expense of importunate Kennedys who had come by London expecting the U.S. Embassy to serve as a caravansary. On leaving, the journalist in his visitor took over, asking permission to quote one of the stories. "Why not?"

For all his recent involvement in courtly manners, Annenberg was direct, and when speaking of some of his critics, there was a smile in his mordancy. His father began earning a living by peddling groceries in Chicago, died shortly after leaving prison for failure to pay income taxes, and left his son with an insolvent estate. Well, Annenberg took care of *that* problem and before his death at 94 had given away a billion dollars to assorted charities, another billion in art, to the Metropolitan Museum in New York. He adhered always to a sense of rank and rectitude, evidently scarred by his father's humiliating experience. When with top hat and tails he presented himself to the Queen in 1969, he faltered under the royal strain of the experience, answering her question with what became a periphrastic landmark. (How was the embassy doing? Very well, "subject to certain elements of refurbishment and reconditioning.")

At his Sunnylands home on New Year's Eve he regularly counted on as guests Ronald Reagan and Frank Sinatra and Bob Hope, etc. They were comfortably lodged in his 32,000-square-foot house with private nine-hole golf course and 50 gardeners and staff ("I do not treat myself unkindly"). On Year Nine, having left the White House, Ronald Reagan asked his host to go back to the old ways and call him Ronnie. "I told him *under no circumstances*," Annenberg remembered, sternly. "Once you are president, you are always Mr. President." He permitted friends and acquaintances to call him Mr. Ambassador right to the end. And he was married to a former chief of protocol, the fair Leonora.

A bracing, huge, intensely generous, proud presence, with a hard wit, a jeweler's eye for art, a benefactor, on occasion, of *Firing Line*. We join the Queen in thinking he did a good job.

—WFB

CAMPAIGN 2002

Corruptions

There will be no Soprano jokes in this editorial. The reality of New Jersey politics outruns the whimsy of HBO.

Sen. Robert Torricelli's campaign for re-election began failing after it became evident that he had shaken down a New Jersey businessman, David Chang, for illegal campaign contributions and little goodies, such as a Rolex watch. The FBI investigated him, the Senate Ethics Committee "severely admonished" him, and the release of a memo by federal prosecutors summarizing the evidence sent Torricelli into a death spiral. Republican rival Doug Forrester catapulted from sacrificial lamb to runaway leader.

So Torricelli pulled out of the race 36 days before Election Day. His farewell address was a classic of modern bathos, weepy, self-pitying, and accusatory: "When," he asked, "did we become such an unforgiving people?" Two days after this performance, the New Jersey Democratic party plugged former senator Frank Lautenberg into his slot on the ballot. Forrester and the GOP challenged the substitution, but the supreme court of New Jersey ruled, 7–0, that it was permissible. The Supreme Court of the United States declined to hear an appeal.

The New Jersey maneuver stinks like a toxic waste dump. New Jersey law says that substitutions must be made at least 51 days before the vote. Sen. Torricelli was not dead, or in jail, or otherwise incapacitated. He had simply been revealed as a sleazebag, and was becoming a deeply unpopular one. Yanking him off the ballot canceled the will of New Jersey's Democratic-primary voters; popping in Lautenberg at the last minute deprives all New Jersey voters of the back-and-forth of a normal campaign. In some cases, it will deprive New Jerseyans voting by absentee ballot of a vote. The example for other states is remarkable. New York Democrats could replace the faltering gubernatorial candidate Carl McCall with somebody popular, if they could find anyone. California Republicans unhappy with

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Bill Simon might tap Arnold Schwarzenegger to terminate Gov. Gray Davis.

Still, the United States Supreme Court was wise to stay out of this one. Corruption at the state level has a long history in American life; one of the first victims to suffer from it was John Jay, author, with Hamilton and Madison, of the *Federalist Papers*, who was cheated out of a New York governorship by slippery vote-counting in 1792. Rogue politicians (these days, usually judges) must be checked by responsible ones. *Bush* v. *Gore*, the Supreme Court decision that stopped a Democratic attempt to steal the electoral votes of Florida in 2000, was an unsatisfactory compromise forced on the justices by the gravity of an unresolved election for president, the most important office on earth (how that cliché came to life the following September). NR argued at the time that, in an ideal world, elected officials—county canvassers, the governor and legislature of Florida, and, finally, the House of Representatives—ought to deal with the problem. If they overstepped, they could be punished at the next election.

This is the ground Forrester and the New Jersey GOP must now fight on. Lautenberg and Torricelli are two peas in a rotten pod, part of a Garden State culture of corner-cutting and corruption. Citizens must be called to defend themselves at the ballot box, not wait to be saved by a rival squad of judges.

■ NOTES & ASIDES ■

■ Dear Mr. Buckley: Re a recent column of yours: The "southern states" and the "Southern states" are two totally distinct entities.

The most southerly state is Hawaii. California, Arizona, New Mexico, and Texas border on Mexico. Three of those four are not usually included in the term "Southern" and, according to Lyndon Johnson, neither should Texas be.

And, of course, Puerto Rico would be included in "the south."

In fact, "southern" includes many more states that are not Southern and they total tens of millions of people in population.

Sincerely,
Robert W. Whitaker
Columbia, S.C.

Dear Mr. Whitaker: Yes, of course, and the confusion is common. Are you related to Caleb Whitaker (R.I.P.) of Camden, S.C.?

Cordially, WFB

■ Dear Mr. Buckley: Now here is another thought on men/women vs. male/female (or vice versa):

If one ought not to use the noun "women" as an adjective, would that not make women letter-carriers into mail females? As you said, the adjective "female" doesn't always lend itself to the right phrasing.

I find myself disagreeing with your correspondent who seemed to suggest that "If I were" is used in the present tense and "If I was" in the past tense. If I remember my grammar lessons correctly, the past form of "If I were" is "If I had been," as in "If I were king I would do such and such" vs. "If I had been king I would have done such and such."

I have come to the conclusion that the phrase "If I was" is grammatically wrong. That would explain the reasons why it cannot be put neatly into the grammatical framework of the English language.

It probably arose out of incorrect usage by the grammatically stumble-footed and, in my opinion, should be assigned to the grammatical scrap-heap together with such horrors as "Between you and I" and "Between he and she."

Cordially,
Horst R. Brakel
New York, N.Y.

Dear Mr. Brakel: Nice thought, very liberating.

Cordially, WFB

■ Dear Mr. Buckley: I have read what has been written in N&A on the authorship of Shakespeare and agree with Kathy McCabe (July 1) that Shakespeare could hardly be a more unlikely candidate.

I believe that the Shakespeare authorship is a contrived fraud by two actor friends who assembled a number of actors' playbooks, which they then passed off as Shakespeare's productions.

Doesn't it seem curious that these two friends and legatees of Shakespeare should not possess a single manuscript of any of these plays? And that Shakespeare did not, among his testamentary assets and dispositions, include a single manuscript or reference to the plays or his writings in any form?

Respectfully,
Kalman I. Nulman
New York, N.Y.

Dear Mr. Buckley: I am sick and tired of reading all this juvenile claptrap as to whether William Shakespeare of Stratford-upon-Avon actually wrote the plays that bear his name.

Records show that William Shakespear owned a part interest in two of the most popular theaters in the London area; when he retired, he returned to Stratford; he bought New Place, the most expensive house in Stratford, for his family; he also bought three farms on the outskirts of Stratford and leased them back to farmers for income.

If you want to find out anything about William Shakespeare, read a historian of the Elizabethan period, not Mark Twain, for godsake.

Cordially,
F. W. McWright
Albuquerque, N.M.

—WFB

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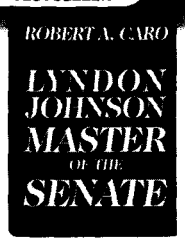

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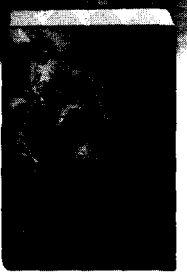

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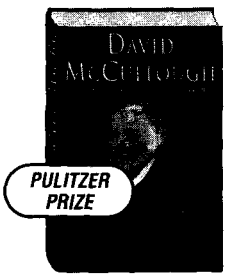

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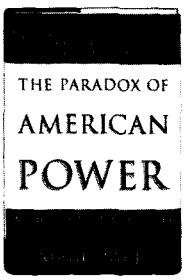

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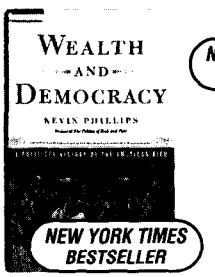

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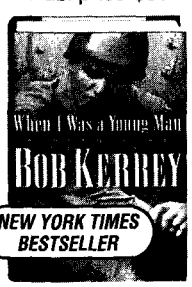

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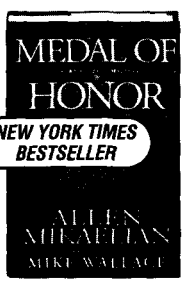

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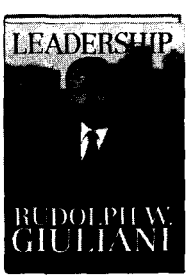

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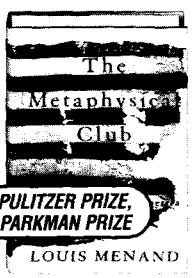

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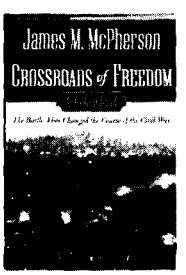

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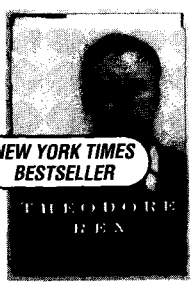

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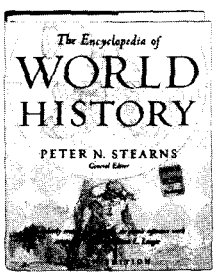

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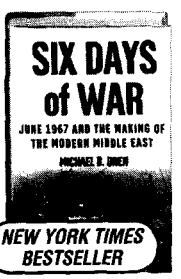

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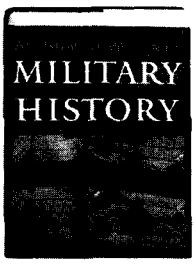

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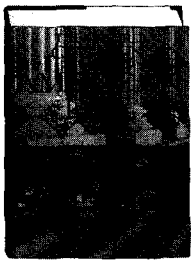

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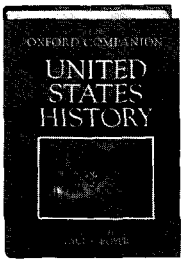

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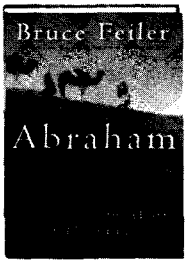

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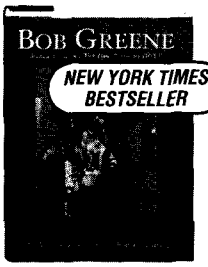

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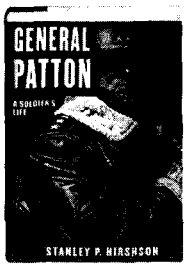

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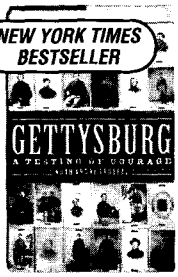

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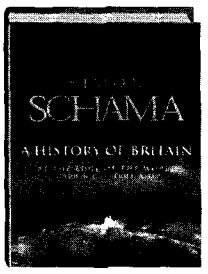

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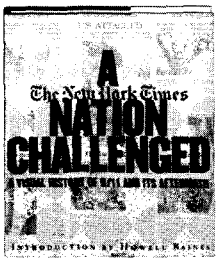

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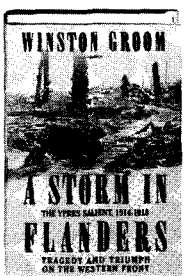

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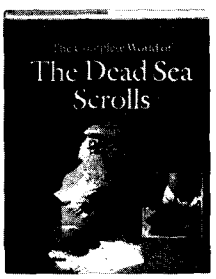

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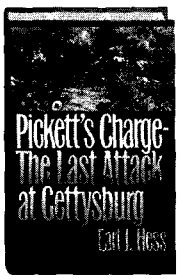

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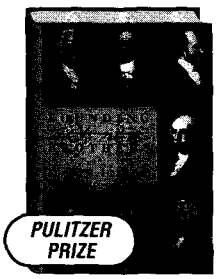

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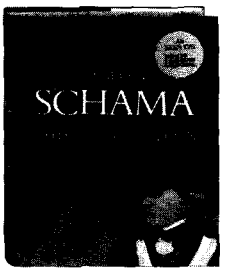

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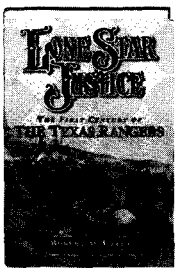

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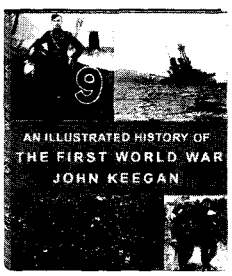

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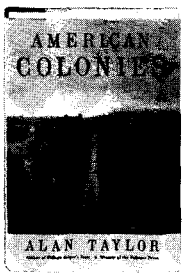

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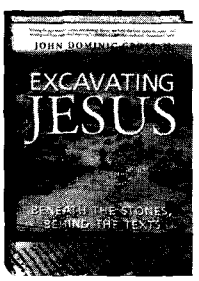

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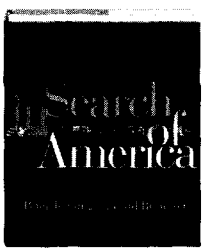

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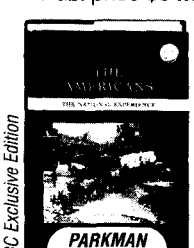

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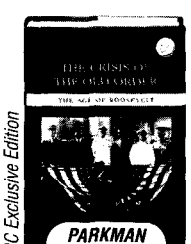

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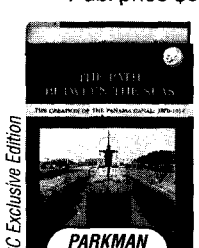

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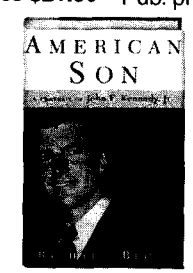

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■ AT WAR ■

The Wrong Man at Langley

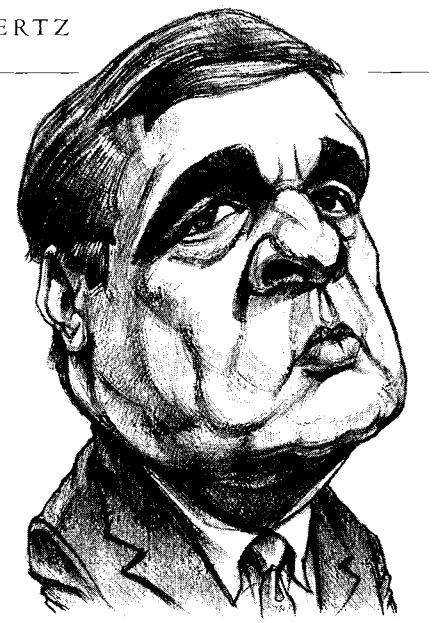
George Tenet isn't up to it; neither is U.S. intelligence

BILL GERTZ

SEVERAL months ago I asked the CIA's chief spokesman, Bill Harlow, whether CIA director George Tenet had ever offered to resign after the 9/11 terrorist attacks. After all, the attacks represented a fundamental failure of strategic intelligence. Harlow's response was an indignant "no." In Tenet's view, 9/11 was not an intelligence failure. Tenet told the Senate in February 2002 that not only was there no failure, he was actually proud of the CIA's record: "It is a record of discipline, strategy, focus, and action. We are proud of that record. We have been at war with al-Qaeda for over five years."

Precisely what that war really meant, however, was disclosed by Eleanor Hill, the staff director of a joint House-Senate inquiry looking into the intelligence failures of 9/11. She revealed in congressional testimony that the war declared by Tenet was not being waged with a massive devotion of CIA resources. Tenet didn't even inform the FBI that he—in a 1998 memo to CIA managers after the al-Qaeda bombings of U.S. embassies in Kenya and Tanzania—had declared war on Osama bin Laden.

"We are at war," Tenet stated in that memo. "I want no resources or people spared in this effort." But what kind of war was this? A phony war, if you count the actual number of CIA analysts devoted full-time to studying bin Laden's terrorist network: three, with two others added in the months before 9/11. (A CIA spokesman later contended that these numbers were wrong, that there were actually *nine* analysts devoted to bin Laden—still hardly a warlike effort.)



George Tenet by Ismael Roldan

On September 11, 2001, Tenet was having breakfast at the Hay-Adams Hotel near the White House with his mentor, former Oklahoma Democratic senator David Boren. One of Tenet's security guards brought him the news: "A plane has gone into the World Trade Center, Mr. Director." Tenet said: "Was it an attack? It sounds like an attack." Tenet jumped in his limousine to dash over to CIA headquarters. Before leaving, Tenet told Boren: "This is bin Laden. His fingerprints are all over it." This comment showed a) that Tenet was aware of the danger of an attack on the U.S. by bin Laden but also b) that the CIA viewed itself as helpless to predict—and thus to help prevent—such an attack.

Which is completely unacceptable, because it is precisely to avoid such disasters that we have an intelligence establishment. Tenet himself is an important part of the problem. He backed into the position of CIA director in 1997 after President Clinton's first choice, Anthony Lake, was forced to withdraw. His first intelligence experience was as staff director for the Senate Intelligence Committee from 1988 to 1993, a job he lost when the Senate went Republican. He quickly found refuge as special assistant to the president for national security affairs and senior director for intelligence programs on the White House National Security Council staff, a key policymaking position for intelligence issues. In 1995, Tenet became deputy director of Central Intelligence, the No. 2 official in the community.

As deputy director, Tenet was involved in covering up the security violations of then-director John Deutch. In December 1996, Deutch left the agency; in early 1997, CIA security investigators discovered highly classified documents on Deutch's Macintosh computers. Deutch, it turned out, had a habit of typing his notes into an unsecured laptop computer after secret briefings in the Pentagon. He would then e-mail copies of the notes to himself at home, using his America Online account, and retrieve them on a home computer. Some of the most important secrets were compromised by the practice, which exposed such secrets to interception by foreign spies. "We know that foreign intelligence services routinely monitor the Internet for just such material," a senior Pentagon official said. "And AOL is a major target."

The CIA undertook an investigation of Deutch—but later reprimanded six current and former officials for mishandling the probe: "The principal shortcoming in the Deutch matter was that normal Agency procedures for handling and reporting a serious security incident were not followed. . . . Among other things, a crimes report should have been submitted sooner to the Department of Justice." And the reason for this delayed notification was pure politics: Had they told DoJ sooner, a special prosecutor would have had to be appointed to deal with the case. The delay staved off such an inquiry. Tenet managed to escape punishment even though—as the official in charge of overseeing the security probe—he

Mr. Gertz is the defense and national-security reporter for the *Washington Times* and author of *Breakdown: How America's Intelligence Failures Led to September 11.*

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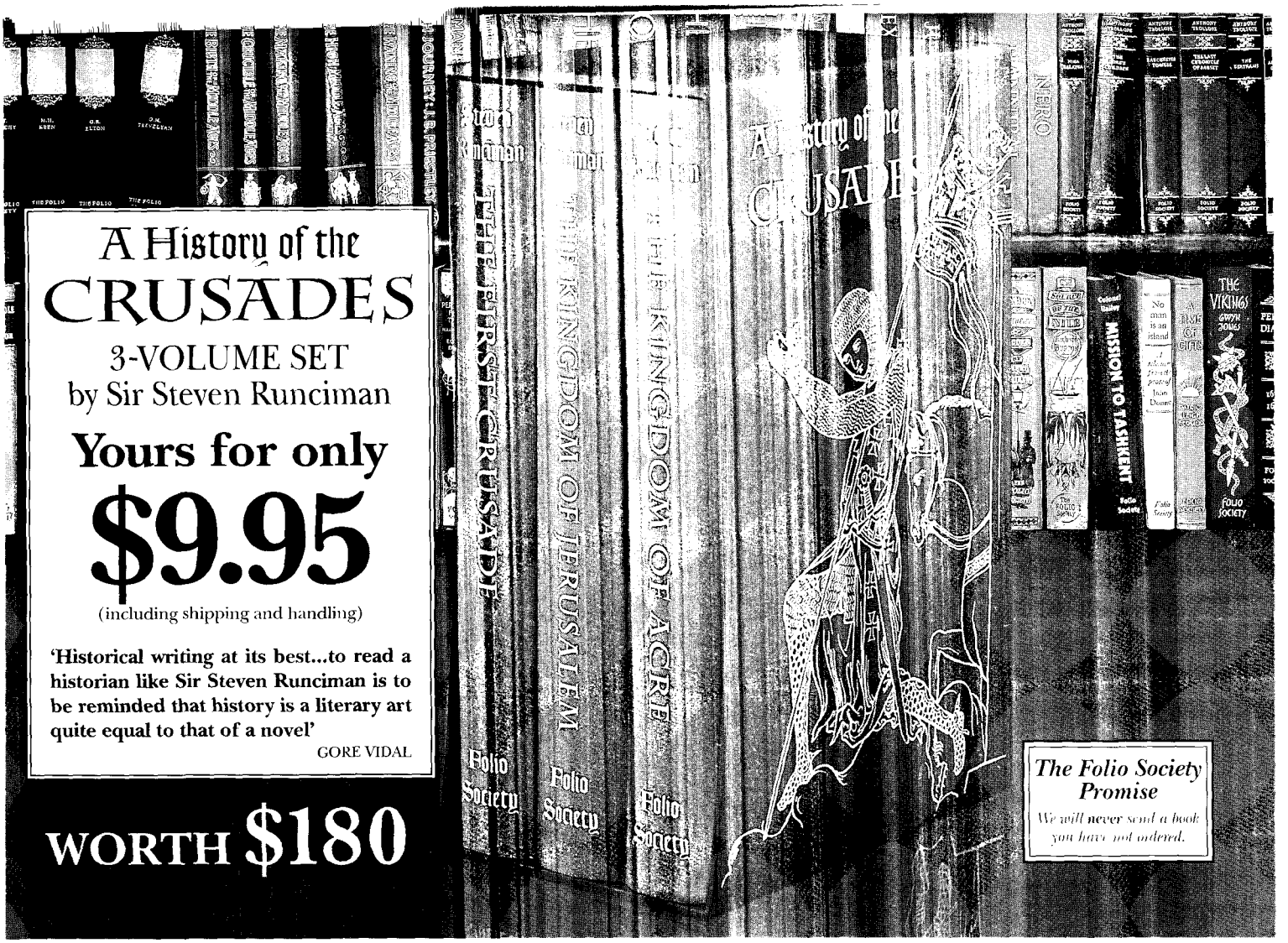

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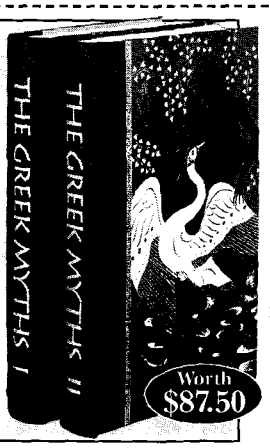

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should have been held accountable. Tenet was, however, faulted by the CIA inspector general for "not involving himself more forcefully in the Deutch matter in order to ensure a proper resolution of it."

In late April 1997, a group of case officers in the CIA's Directorate of Operations took the unprecedented step of criticizing Tenet just as he was going through the Senate confirmation process for the post of CIA director. According to their letter—which I have obtained, and which has been verified as authentic by the CIA—Tenet stopped a counterterrorism operation because a U.S. ambassador had developed cold feet. "As a result," the letter continued, "serious counterterrorism-related information is being denied to us. If [Iranian] operatives kill someone in Europe, he [Tenet] will be partly to blame."

■

Never being wrong has become Tenet's—and the CIA's—raison d'être. And the politics has paid off.

■

In the years since, Tenet has shown little ability to get better intelligence product out of the CIA. The agency's structural failure has been highlighted by the addition of special multidisciplinary centers: The bureaucrats are changing the agency's structure in the hope that a new organizational chart will actually solve the problems, but there is in fact little substantive improvement. Among these centers is the Counterterrorism Center; despite its public claims to have thwarted numerous bombings, its successes have in reality been extremely limited. When the first hijacked U.S. airliner slammed into the World Trade Center on 9/11, the CIA's Counterterrorism Center was completely in the dark about the attack.

Other problems have burgeoned. One CIA analyst told me that he was harassed by CIA managers "for writing analyses that did not jibe with Clinton foreign policy." Another senior intelligence official says: "The agency under Tenet is the most politically attuned CIA in my memory. Who can argue with success? Tenet, a lifelong Democrat, and a partisan one on the Hill, survived the Republican administration and has prospered. Bundles of money are being flung at the agency to hire more people across the board. Tenet has evidently persuaded people on the Hill, and in the White House, that the agency already works miracles, and could work even more if it had a massive increase in operations and analytical staff."

About the operations side of the CIA, this same official said: "What the agency seems to be doing is sending all the new officers out to do classical embassy reporting. . . . [to] build careers. And yet we will have no new assets; we will not have penetrated the hard targets; and we will not know more about anything central to our national interest. But the political people—most of them anyway—will not understand this, or want to understand it."

Angelo Codevilla, a Boston University professor who specializes in intelligence, says the motto for the CIA under Tenet is, "We may not always be right, but we are never wrong." Never being wrong has become Tenet's—and the CIA's—raison d'être. And the politics has paid off: Huge amounts of taxpayer money continue to be spent secretly by an agency with a record of tactical and strategic failures, 9/11 chief among them.

But if the U.S. is to win the war against Islamist extremism, all of this must change. An urgent program of intelligence reform is needed. Its centerpiece should be a new clandestine service combining the best elements of the CIA's Directorate of Operations and of the Defense Intelligence Agency's Defense Humint (human intelligence) Service. The new service needs to be better trained, more diverse, and less hamstrung by legal and bureaucratic restrictions. We also need a domestic intelligence-gathering capability—outside of the FBI—that will be able to prevent foreign terrorists from operating with impunity within our borders.

We can do far more to prevent massacres like 9/11. But the first step in doing so is taking intelligence work seriously—and that is not yet happening. **NR**

■ AT WAR II ■

Sharia in Kabul?

A theological iron curtain is descending across Afghanistan

NINA SHEA

SHORTLY after Afghanistan's cabinet was announced in June, new chief justice Fazul Hadi Shinwari denounced the newly appointed women's affairs minister, Sima Samar, for speaking "against the Islamic nation of Afghanistan." Samar was formally charged with "blasphemy," which can carry the death penalty. Her crime? Dr. Samar had allegedly told a magazine in Canada that she did not believe in sharia, or Islamic law. Fearing for her life, Samar ultimately declined her office, even though, under intense U.S. pressure, the charges were dropped.

President Bush has robustly affirmed the importance of human rights and democracy in America's foreign policy. In his *New York Times* op-ed on September 11, the president declared that America would work "to extend the benefits of freedom and progress to nations that lack them." One might think, then, that the political reconstruction of Afghanistan—entailing considerable American involvement and hundreds of millions of dollars in financial support—would present a clear opportunity for protecting the human rights the president championed.

Think again. Notwithstanding the endless news stories about girls being allowed to go to school, Afghanistan is in imminent danger of being reconstructed as an Islamic state under hard-line sharia law.

This hard-line rule differs from more

Nina Shea is the director of Freedom House's Center for Religious Freedom and serves on the United States Commission on International Religious Freedom.

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Judea/Samaria (the "West Bank")

Can Israel survive without it?

Many people believe that the "conflict" between Israel and the Palestinians could be resolved if Israel were to consent to the creation of Palestinian state in Gaza and in all or most of Judea/Samaria (the "West Bank"). Even our president has advocated this outcome, contingent on the "good behavior" of the Palestinians. But would the creation of such a state be a solution to the conflict or, just as the Oslo Accord, another illusion that would exacerbate the conflict, rather than terminate it?

What are the facts?

The Root of the conflict. The conflict between Israel and the Arabs is not about borders and not about the Palestinians. The conflict is not about the size of Israel. It is about Israel's very existence. Israel, of whatever size and within whatever boundaries, is unacceptable to the Arabs. In surrendering strategic territory, Israel is gambling with its very life. The PLO still adheres to its infamous "phased plan." It calls for first creating a Palestinian state on any territory vacated by Israel and then using that state to foment a final allied Arab assault against the truncated Jewish state.

The Importance of territory. Many believe that in this age of missiles, territory is of little importance and that Israel should therefore not hesitate to relinquish "land for peace." But that is not the case. The Arab states have acquired over $50 billion of the most advanced armaments since the end of the Gulf War. And those are not just "conventional" weapons—enormous quantities of tanks, aircraft of all kinds, and much more. The Arab state possess large arsenals of chemical and biological weapons, and all of them work feverishly on the development of their nuclear potential. All of those weapons have only one single purpose: the destruction of the state of Israel. And that goal is not being cancelled for any agreements that Israel may make with the Palestinians. For both "conventional" war and for war of mass destruction, territory and topography are critical for self-defense and deterrence. The mountainous territory of Judea/Samaria (the "West Bank") is an indispensable line of defense, especially for a country as small as Israel. It totally controls access to Israel's heartland from the east. Israel needs this high ground for defense, to be able to peer deeply into the enemy's territory and to get early warning of any attack. The high ground allows Israel to detect missiles while they are still in the launch stage and to destroy them, with the Arrow or other sophisticated anti-missile systems. Unlike the U.S., Israel cannot maintain a fleet of nuclear submarines for "second strike" deterrence. But it can maintain dozens of mobile missile launchers safe in underground tunnels hewn into the rock of the Judean mountains.

Would the "West Bank" be demilitarized? Even those who want Israel to retreat to its pre-1967 borders are agreed that the evacuated areas must be demilitarized. But that would be useless. Because the Palestinians will have thousands of trained soldiers, camouflaged as their police force. In case of war against Israel, these troops could be helicoptered in minutes to their positions, with armored forces reaching them within the same night. In any case, it is highly doubtful that the surrounding hostile Arab nations would allow such a military vacuum to exist. And finally, there is the matter of terrorism. There are over fifteen Palestinian terror organizations that neither Yassir Arafat nor any other Palestinian authority can control. There would be a constant rain of Katyusha rockets launched into the Tel Aviv area and into the entire coastal plain, which is only nine miles wide at its waist. It contains 80% of Israel's population and of its industrial and military potential. Ben Gurion airport, every incoming and outgoing flight, would be subject to mortar fire or shoulder-held Stinger attack. Does anybody doubt that the Arabs would not exploit that irresistible opportunity?

> "Without Judea/Samaria (the 'West Bank') Israel would be totally indefensible; therefore, neither the purposes of Israel nor those of the United States would be served by Israel's relinquishing control of the 'West Bank'."

Without the "West Bank" Israel would be totally indefensible. That is the professional opinion of over 100 U.S. generals and admirals. Israel's strong defensive posture makes it most inadvisable for Israel's enemies to attack her. But once this defensive strength is removed, a coordinated war against Israel can only be a matter of time. The example and fate of Czechoslovakia, which preparatory to the Second World War was dismantled and shorn of its defensive capacity, insistently comes to mind. What does all this mean to the United States? In a part of the world in which our country has the most far-reaching geopolitical stakes, Israel is the only democracy, the only country that is unquestioningly aligned with us. It is the guarantor of American interests in the area. With Israel in a position of weakness, the role of the United States in the area would collapse and radical states such as Syria, Iraq and Iran would dominate. That is why, despite the heady prospect of "peace in our time," neither the purposes of Israel nor those of the United States would be served by Israel's relinquishing control over the "West Bank."

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common applications of sharia, which regulate mostly family and inheritance issues. Under the Islamist version of sharia, courts pronounce and enforce strict, all-encompassing codes of behavior supposedly based on a literal reading of the Koran and accounts of Mohammed's life. Commanding their own police forces, the courts apply archaic rules of evidence and administer harsh corporal punishments. The final rulings of sharia criminal courts are considered to be pronouncements of divine law, and as such cannot be criticized or altered. The broad range of human rights—freedoms of expression, press, and religion; equality under the law; non-discrimination; the right not to be tortured—are typically denied.

In June, President Karzai appointed a politically diverse cabinet, including a number of moderates, to lead Afghanistan's government in the current transition period. To head the supreme court, however, he appointed Shinwari, a man with a well-publicized commitment to implementing hard-line sharia. On January 24, for instance, Shinwari had told the international press that under the new government, adulterers would be stoned to death, the hands of thieves amputated, and consumers of alcohol given 80 lashes.

He is also opposed to the practice of Christianity. Reuters quoted him as stating: "The Islamic government, according to sharia, is bound to punish those who get involved in anti-Islamic activities. We can punish them for propagating other religions—such as threaten them, expel them and, as a last resort, execute them." Shinwari told a National Public Radio correspondent that Islam has three essential rules. First, a man should be politely invited to accept Islam; second, if he does not convert, he should obey Islam. The third option, if he refuses, is to "behead him."

Two weeks before his appointment as chief justice, Shinwari reiterated that the nation would continue as an Islamic state under all-encompassing sharia law. According to Agence France Presse, Shinwari insisted there would be no "Western-style government" in Afghanistan: "No one will accept it. Only an Islamic government is acceptable to the Afghan people." The 70-year-old justice had lived in exile for nearly 40 years, mostly in Pakistan, where he taught Islamic law at a madrassa. Decorating the wall above his desk, according to the Associated Press, are a sword and a leather lash for flogging. They were left by the Taliban, but Shinwari keeps them up as symbols of the harsh sharia justice which he also endorses.

Not that Shinwari isn't critical of the Taliban. Indeed, he never misses an opportunity to denounce them as "barbaric" for having carried out stonings and amputations as public spectacles in Kabul's sports stadium, rather than in private. He has faulted them for pressing private doctors, and not special prison doctors, to implement sentences of amputation. He has deplored their rushing hastily to judgment, instead of methodically using appropriate procedures. But Shinwari has never backed away from the extreme sharia punishments, and has repeatedly and publicly asserted that he intends to apply them in the supreme court he now heads. "We are not eager to execute criminals or chop off heads," he recently told the *Washington Post*, "but if all the conditions are fulfilled, [it] is required."

One of the problems with extreme sharia is that it allows no room for checks on judicial power.

In an absolute sharia state, only the judiciary holds power. Iran's President Khatami has repeatedly complained that religious judges hold the real levers of power and do not allow him to usher in the civil liberties for which he was twice elected. Already in Afghanistan, Karzai's justice ministry has ceded formal control of the central prosecutor's office to the court, and a commission on judicial reform was dissolved after religious hard-liners obstructed it. If Shinwari's vision of Afghanistan were realized, he and his colleagues on the bench would emerge as the country's most powerful political figures. And the U.S. should not expect much in the way of cooperation from them. Shinwari has already said that he will be lenient with those involved in Afghanistan's opium industry—a priority concern of the State Department—since, as he explained to the press, narcotics are not banned under Islamic law. Nor is it a good sign that he is given to referring to non-Muslims, even in public interviews, as "infidels."

Shinwari's role recently became still more troubling. In August, Afghanistan's interim government established a religious law-enforcement apparatus, called the Accountability Department, functioning under the direct authority of the supreme court. The department is headed by a former mujahedeen figure, Mohammad Mustafa, who has a degree in religious affairs.

Because it hears appeals from lower courts that have yet to complete their first full year in session, the supreme court has only recently begun to hand down opinions. But even one of its early cases confirms human-rights fears. The supreme court backed a decision by the head of Kabul Radio and Television to ban the broadcasting of female vocalists and the airing of Indian films. "We totally oppose the idea of half-naked scenes or . . . women's songs," the court's spokesman stated.

And if persuasion doesn't work, the court will fall back on fines, imprisonment, and lashings. The new religious police has a staff of 200 to 300, including 50 women who are to visit girls' schools to enforce Islamic behavior.

In September, President Karzai confirmed that sharia is the law of the land during a Q & A at the Council on Foreign Relations. He tried to give assurances that amputation punishments, at least, would not be applied: "There are strict, strict rules of earning that kind of punishment. Very strict rules . . . So I assure it will not happen." But what if the new court were to dispense with the "strict rules"—as the old Taliban court did? Will critics of the court share Sima Samar's fate and be charged with blasphemy? One of the problems with extreme sharia is that it allows no room for checks on judicial power. Karzai probably knows better, but he is under strong pressure from an Islamist defense minister, Mohammed Fahim, and the still well-armed leaders of the Northern Alliance.

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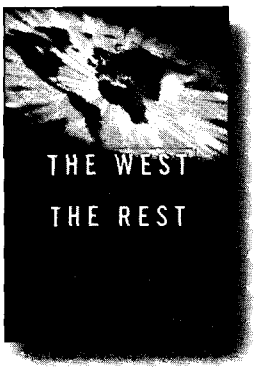

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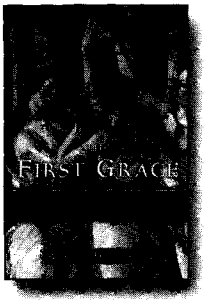

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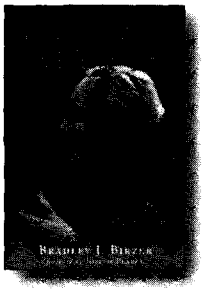

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Iran provides a real-time demonstration of how and why extreme sharia law is difficult to reform, let alone remove. In early September, Hashem Aghajari, a leading voice in President Khatami's reformist movement, went on trial for "blasphemy" after giving a speech in which he called for reforms of the sharia system. He could now face the death penalty. Scores of other critics of sharia law have been flogged and jailed in Iran in recent months, and some 60 dissenting publications have been shut down.

The stoning to death of women found guilty of adultery under the Taliban (and, more recently, in Africa) has prompted outraged editorials in the West. But the more fundamental problem of extreme sharia—that its all-powerful judicial apparatus precludes democracy and sharply reduces human freedom across the board—has been all but overlooked. When asked about the development of penal sharia in Afghanistan, a senior State Department official told me recently that State was concerned about Karzai's security, not about sharia. They fail to realize that in a hard-line sharia state, with 7th-century laws and punishments, the supreme court is not merely another branch of government: It's where the real power resides. Countries where religious judges directly command the coercive powers of the state are de facto theocratic. No president or parliament can override their decisions, no politician or journalist can criticize them; to do so would be blasphemy.

The United States may have a chance to prevent a theological iron curtain from again descending on Afghanistan. Last summer, the country's legislative body initiated the year-long process of drafting a new constitution. In this drafting, it is crucial to the protection and expansion of human freedoms that the country not be defined as a sharia state, that the judiciary not be given control over law enforcement, that sharia jurisdiction not encompass criminal law, and that training in human-rights jurisprudence be a requirement for members of the supreme court.

Certainly it is important that the United States protect Karzai's life, but let's not preserve him as merely a powerless figurehead. **NR**

■ AT WAR III ■

Saddam's Last Stand

He won't sit quietly till the Marines burst in

DAVID PRYCE-JONES

LIKE all dictators, Saddam Hussein has a high opinion of his capacities. Comparing himself to Nebuchadnezzar and Saladin, historic rulers of Baghdad, he makes the claim that he too will go down in history as one of the greatest of men. Accordingly he has built a personality cult, complete with grandiose self-flattering monuments, and weapons of mass destruction to consummate power. The reality is not so flattering: His campaigns against Iran and Kuwait were textbook examples of how not to conduct policy. He has sacrificed a million Iraqis in war, murdered another million at home, driven perhaps 4 million into exile, and reduced his rich country to penury. Gangster that he is, his instinct in dealing with other people is first to wheedle and then to shoot.

The current wheedling about the terms on which weapons inspectors are to return is a transparent attempt to widen the gap between the United Nations and the United States. To him, it looks like statecraft to take one step forward in the expectation of taking two steps backward. Another textbook example of how not to conduct policy is in the making. He is in the process of bringing regime change down upon himself.

To judge from the limited, necessarily curtailed reporting in the Western media, Iraqis are resigned to the idea that Saddam's future and theirs lies in the balance. Arab leaders also appear resigned. At some risk, a member of the ruling family of Qatar visited Baghdad to suggest to Saddam that it was time to go into exile. An angry Saddam is said to have shown him the door immediately.

The absence of an effective air force and the failure to rebuild his army since its last defeat make the result of a conventional war inevitable. But will Saddam really sit it out in one of his presidential palaces until the Marines burst in? Wouldn't he try to shoot it out, and in that case what surprises might he spring? Questions of this kind lead to war-game scenarios, with variables such as Saddam's ceding power to one or another of his odious sons; a coup; and defections on such a scale that the regime implodes as Communism did. Ahmad Chalabi, leader of the Iraqi National Congress in exile, is someone who speculates that, when well and truly cornered, Saddam might resort to chemical or biological weapons of mass destruction. Such weapons are most uncertain, and would threaten the health of the Iraqi people for years—not that Saddam would care about that. Rumor has it that he ordered the notorious Palestinian terrorist Abu Nidal to mount some repeat of September 11. When Abu Nidal wouldn't or couldn't, Saddam had him shot dead. He is now said to be reactivating Abu Abbas, of *Achille Lauro* infamy. Any terrorist attack or use of mass-destruction weapons would invite the United States to retaliate with all the power at its disposal. Informed observers believe that Saddam has murder on his mind but not suicide.

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Informed observers believe that Saddam has murder on his mind but not suicide.

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The obvious tactic is to create a diversion by attacking Israel. In the 1990–91 Gulf War he threatened to "burn half of Israel" and fired 39 Scud missiles. As fluke would have it, there was almost no loss of life. Yitzhak Shamir, then the Israeli prime minister, judged that any Israeli response would complicate the task of the allied coalition with its contingents from Egypt and Syria. Inaction

Mr. Pryce-Jones, an NR senior editor, is the author of, among other books, *The Closed Circle: An Interpretation of the Arabs*.

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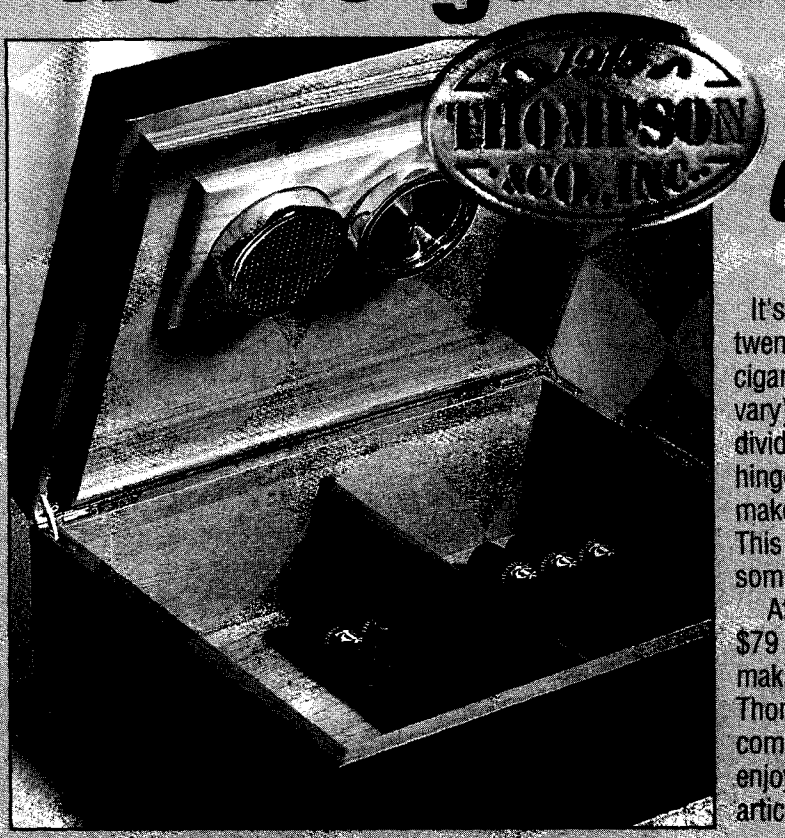

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proved right in the circumstances, but the Israeli military afterward argued that, to the Arabs, it seemed evidence of weakness and the inefficacy of the central Israeli doctrine of self-defense. Yasser Arafat evidently concluded that Israel had lost its nerve, and that violence was more of a paying proposition than a peace process.

Kenneth M. Pollack was the official on the National Security Council responsible for policy toward Iraq from 1999 to 2001. In his masterly new book, *The Threatening Storm*, he shows how Saddam realized that he could turn Arafat's intifada to his own advantage. More than that, Saddam now calculates that "a full-blown Arab–Israeli war would be a tremendous opportunity for him," driving a wedge between the United States and less extreme Arabs. The fantasy of an American-Zionist conspiracy to dominate the Middle East, if not the rest of the world, can be used to inflame the "Arab street." The fantasy of an American imperialist aim to lay hands on Iraqi oil further convinces much of the Left in the West. All in his own high-flown idiom, Saddam is already appealing for solidarity to "the Arab nation, including Iraq." Rejecting any new U.N. resolution, the Iraqi cabinet—a shell for Saddam—congratulates "our people in Palestine" on "their brilliant steadfastness, jihad, and struggle."

Israelis at many levels are assuming that their country is bound to be caught in the repercussions of action in Iraq. To counter scaremongering, senior personalities like the chief of staff, Gen. Ya'alon, and the man in charge of the navy, Adm. Yaari, have given interviews to reassure people that they have nothing to fear, and that Israel is capable of ensuring its security. The new $2 billion Arrow missile-defense system is deployed along with the old Patriot antimissile batteries. Among precautionary civilian measures, 15,000 municipal workers have received smallpox vaccinations, and a call has gone out for 500,000 more gas masks. Two Tel Aviv suburbs have plans to evacuate their inhabitants and, in preparation for the worst, are working to develop a joint morgue. Another municipality has obtained large filters in case the water system is contaminated.

Like his predecessor Shamir, Prime Minister Ariel Sharon carefully mixes caution and toughness. In an important interview that he recently gave to the English-language *Jerusalem Post*, he expresses the hope that the foreseeable U.S. operation against Iraq will avert any potential attack by Saddam against Israel. If Saddam and his regime did not hit population centers or cause casualties, then Israel "would not make it hard for [the U.S. and its other allies]." On the other hand, "if we suffer casualties or if non-conventional weapons of mass destruction are used against us, then definitely Israel will take the proper actions to defend its citizens." In the assessment of most experts, Israel has about 400 nuclear bombs. Which must concentrate the mind even of a gangster.

In the same interview, Sharon also gives warning that he detects a "Palestinian intention to escalate the terror attacks" before a possible U.S. action in Iraq. When this spring Israel occupied the main towns of the West Bank, intelligence officers removed quantities of documents from Yasser Arafat's headquarters in Ramallah. They were astonished to discover from this haul the extent to which Saddam has incited and subsidized the current intifada. The Arab Liberation Front is the covert organization he created to channel arms and money to Arafat's PLO and the Islamist Hamas. As one particularly perverse measure among others, Saddam has been paying subsidies of up to $25,000 for a suicide bombing, the equivalent locally of about ten years' average income. It is a straw in the wind that Israeli security forces have just arrested Rakad Salem, the head of the Arab Liberation Front on the West Bank. It would be another catastrophic mistake in keeping with their history if Palestinians were to maximize terror and suicide bombings just at the wrong moment. The veteran Israeli military analyst Ze'ev Schiff warns that Israel could also make a mistake by trying to use the war with Iraq to settle accounts with the Palestinians. President Bush is likely to emphasize this point.

Saddam Hussein by Roman Genn

Hezbollah is another terror group that has the potential for widening the war on Saddam's behalf. Initially the ayatollahs of Iran set it up as a proxy against Israel. Based in southern Lebanon, Hezbollah is a disciplined and committed force estimated to number up to 15,000, and boasts that two years ago it drove Israel and local collaborators out of the security zone in Lebanon, and that greater victories are to come. Its spiritual leader in Lebanon, Ayatollah Sayyid Fadlallah, defends suicide bombings and declares that Palestine is exclusively for the Palestinians, with no room for Israelis anywhere.

Syria controls Lebanon, and therefore concerts Hezbollah operations with Iran: a delicate matter. Bashar Assad, president of Syria, is inexperienced, and shares the emotional hostility to Israel of the ayatollahs. Neither Syria nor Iran cooperates very willingly with Saddam, and both lack credentials in the Sunni Muslim world. Nevertheless diplomatic traffic among Baghdad and Damascus and Tehran is reported to be intense. Flying the weaponry in via Damascus, Tehran has recently provided Hezbollah with over 8,000 Katyusha and other rockets capable of damaging the towns of northern Israel down to Haifa.

War-games stop at this point. To judge by appearances, not much time or scope remains before the wheedling has to stop too, and Saddam's capacities are again put to the test. **NR**

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■ POLITICS ■

The Jersey Jive

A state, a scandal, a legacy

BYRON YORK

THERE'S one question that wasn't satisfactorily answered in all the fighting over Robert Torricelli's scandal-driven withdrawal from the New Jersey Senate race. To allow Torricelli to pull out, and to allow Democrats to replace him with former senator Frank Lautenberg, the New Jersey supreme court had to ignore a state law that forbids such changes within 51 days of an election. Which leaves the question: If it could be so easily thrown aside, what was the purpose of the law in the first place?

Ask legal experts in New Jersey, and they'll tell you the deadline provision of New Jersey Statute 19:13–20 was always more of a practical guideline than an actual *law*. "The real original intent was to provide an administrative mechanism to do two things," says Richard Perr, an adjunct professor of law at Rutgers University in Camden. "One, to allow parties to fill an open ballot position, and two, to provide some sort of administrative cushion to those people who are supervising the election." In other words, the deadline was created as a way to make sure election officials had enough time to print ballots and perform other tasks necessary for voting to take place.

Frank Askin, another widely cited Rutgers professor, concurs. "Why do we have the law? Presumably to give the county clerks enough time to get their ducks in a row." Though Askin agrees with Perr on the purpose of the law, he predicted before the state supreme-court case that the justices would decline to stretch the statute as much as they did. "I thought that since there was a legislatively set deadline, the court would be reluctant to tamper with it," Askin says. Now that he's been proved wrong, Askin adds, "But there's a long history in New Jersey of being very flexible about technical requirements in election law."

Indeed, there's plenty of evidence to suggest that, from the very beginning, the state supreme court viewed the question as a purely practical matter involving a flexible deadline. When they accepted the case, the justices ordered lawyers on both sides to be prepared to answer just two questions. The first was, "What is the current status of ballot printing and mailing for all counties?" and the second was, "How long would it take to prepare new ballots should that become necessary?"

That left Republican lawyers with little choice but to frame their response in terms of logistics. The shortened period created by Torricelli's resignation, they

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argued, meant that election officials wouldn't have enough time to prepare absentee and military ballots. In the end, while the justices rejected the GOP case, both sides seemed to agree that the main issue was whether the mechanics of the election would be disrupted by a last-minute change.

But there was an entirely different—and arguably more important—principle at stake that received very little attention. A number of legal experts believe that the law, far from being just an administrative guideline, has a higher, more democratic purpose. A preset period before an election, like New Jersey's 51-day limit, ensures that voters have enough time to evaluate a candidate before going to the polls, and thus are able to make an informed decision in the voting booth. How would the candidate perform in the job? What is he like? Is he qualified? These are questions that are answered in the course of a lengthy campaign.

"Every state has similar laws that say, If you want to be a candidate, you have to do certain things by certain times," says attorney Fredric Woocher, a Los Angeles election-law specialist who mainly represents Democrats. "There is a requirement, implicitly, that the public be entitled to know who the candidates are for a certain period of time before the election, because they need that period of time to make a rational decision." Adds Alex Vogel, the general counsel of the National Republican Senatorial Committee in Washington: "Elections are about debates in the marketplace of ideas, and you need to know who is in the game so that you can have a discussion."

Democrats have argued that such points are moot in New Jersey because Lautenberg, who served three terms in the Senate, is such a familiar figure. But Lautenberg is older now—if he wins, he'll be 84 when he finishes his term—and that might make a difference to voters. Also, if it is okay to allow Lautenberg into the race because he is well known, how would one decide in the future whether another candidate is familiar enough to the public to justify last-minute admission? "You can't be doing these things on a case-by-case basis," says Fredric Woocher. "It cannot depend on the particular circumstances of whether a candidate is known or not."

Nevertheless, the state supreme court made its decision, and its emphasis on the logistical argument in effect killed what might be called the informed-voter argument. When Republicans unsuccessfully petitioned the United States Supreme Court to consider the case, they again relied largely on the logistical argument, this time adding that since election officials did not have enough time to change all ballots, some voters would be disenfranchised. "Sixteen hundred absentee ballots have been mailed already, and 106 military ballots have been mailed already," the GOP argued. "An unknown number of these citizens of New Jersey have already cast their absentee ballots for the November 5, 2002, general election."

Since some had likely already voted, Republicans pointed out, the New Jersey supreme court in effect interfered with an election in progress. "Regardless of whether or not they are right on whether this can be done in a timely manner, they don't have the right to change the rules in the middle of the election," says the NRSC's Vogel. There is certainly some merit in that argument, but the U.S. Supreme Court rejected the Republicans' application without explanation. And that is that.

Now Lautenberg leads in early opinion polls, and it appears entirely possible that New Jersey Democrats will be able to keep the Torricelli seat. They nominated Torricelli with full knowledge of his ethical problems, and then prevailed on him to withdraw—not for the good of the voters of New Jersey but in order to prevent a Democratic loss of the Senate. In doing so, they presented the courts with a difficult legal call: Should Democrats be able to get away with a last-minute switcheroo, or should voters be presented with what is in effect a one-party ballot? Either choice set a bad precedent.

In the end, the episode revealed how vulnerable to gamesmanship the electoral system can be. Despite its reams of laws governing all aspects of voting, at its core the system depends to some degree on the good faith and honor of those who work within it. And a system that depends on good faith and honor is a system that can be gamed. That's what Democrats did in New Jersey. And that, it appears, will be the final legacy of Robert Torricelli. **NR**

■ **PUBLIC POLICY** ■

The Case for No Confidence

On the economy, forget the White House's happy talk

STEPHEN MOORE

THE White House recently unveiled its latest economic strategy: cheerlead the economy and the stock market back to good health. In early October, Commerce Secretary Don Evans released an upbeat report, "The Case for Confidence," which argues that, despite catastrophic stock-market losses, there is much good news on the economic front. "We are not being Pollyannish," insists White House spokesman Dan Bartlett. "We are being accurate." The Bush administration is making a dangerous gamble here, hoping that economic pep talks can substitute for a genuine, growth-oriented plan of action.

One cause for optimism cited by the Bush economic team is the recent jobs data from the Labor Department. The employment report for September reveals that the unemployment rate dipped to 5.6 percent—the lowest rate of any industrialized country. What a relief! Or was it? Even though unemployment fell, the economy still lost 43,000 jobs. In fact, the only major sector of the economy to gain jobs last month was the government.

Over the past two years, public payrolls have been growing at about three times the pace of private payrolls, creating only an illusion of a vibrant job market. To put it another way: These are good times if you're a mailman, an airport screener, or a Defense Department contractor. For the rest of us, this sure has the feel of a lingering recession.

Mr. Moore is a senior fellow in economics at the Cato Institute and president of the Club for Growth.

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It's not just jobs that are shifting from the private to the public sector—output is shifting as well. For example, Department of Commerce statistics indicate that in the second half of 2000 the private GDP (overall GDP minus government) was treading water, growing at a rate of 0.1 percent. Meanwhile, government spending grew by 5 percent. In 2001, the private-sector economy actually shrank by –1.1 percent while government was in a full-scale spending boom, growing by 6.3 percent. So far this year, private-sector growth is stuck at a still-anemic 1.7 percent rate, but the government has luxuriated in an 11.3 percent expansion.

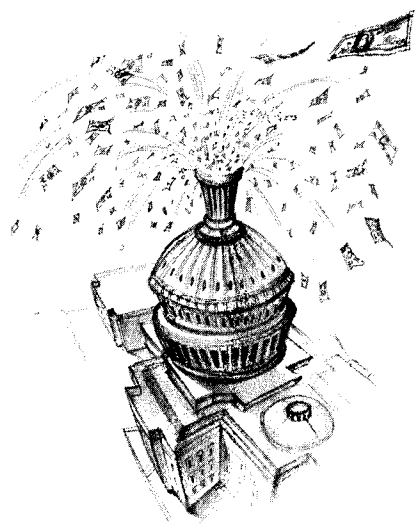
The gap between the government haves and the private-sector have-nots is widening. In the just-released second-quarter GDP numbers for 2002, we find that the private-sector economy contracted by –0.4 percent. The bottom line is, over the past two years the fastest growing industry in America has not been housing, construction, or anything of the kind—it's been government.

In 1999 and 2000, all levels of government—cities, states, and Uncle Sam—were partaking equally in the spending binge. That changed last year. The combined financial jolt of decelerating tax revenues and strict balanced-budget requirements has at last returned state- and city-agency budgets to sane rates of growth. Not so in Washington, however, where the economic slump hasn't even created a speed bump for congressional spenders.

In just the past two years, the entire federal budget has increased by $200 billion—that's more money than the entire GDP of many of our international trading partners. Congress is about to approve another $150 billion expenditure hike for 2003. Just the one-year increase in Uncle Sam, Inc., will be more than twice the amount of capital raised in a typical year by the entire venture-capital industry. (And don't forget the half-trillion-dollar prescription-drug benefit for the elderly that President Bush will probably sign into law—the most expensive and expansive new entitlement program since LBJ's Great Society.) It would appear that Sen. Robert Byrd, with the willful collaboration of Republican Senate and House appropriators, has created the world's first recession-proof government.

Of course, half of the buildup is justifiably devoted to post–9/11 defense and homeland-security spending. Nevertheless, that still leaves a 15 percent two-year expansion in non-essential government spending. In the past twelve months Congress has passed the priciest education spending bill ever (the House Republican Study Committee recently reported that Department of Education spending has soared by 104 percent since 1995) and the most expensive farm-welfare bill ever. It will soon enact the most expensive foreign-aid bill.

Rep. John Shadegg, the fiscally responsible Arizona Republican, laments that "the appropriators are on a spending rampage and there's no political will in an election year to block them." Normally, in a national-security/foreign-policy crisis, government spends less on butter to buy more guns. Now we get more of both.



By Roman Genn

Conventional wisdom has it that a boost in government spending keeps a flagging economy afloat, a Keynesian analysis that is widely held in Washington, even—unfortunately—among members of the Bush administration. In fact, from the standpoint of economic recovery, the expansion of government budgets could hardly be worse news. Real wealth creation is driven by private businesses, entrepreneurs, and workers expanding their output, not by inflating public-agency balance sheets. There is some talk among the Bush team that a further government-spending stimulus might steer the economy out of its malaise. According to this simple-minded theory, when the government spends, it encourages an increase in demand for goods and services, which encourages businesses to put Americans back to work.

The problem is that this theory has never panned out. If government is spending more, the private sector necessarily has less to spend, not more. The government can finance its spending in one of three ways: It can tax, it can borrow, or it can print money (i.e., inflate the currency). In each case, there's less money for private business, the true driver of the economy.

Take the riches-to-rags story of Japan, which responded to a recession by pumping money into huge public-works programs. Over the past decade, Japan has suffered the lowest rate of economic growth, the deepest stock-market crash (from 35,000 to 9,000), and the highest rate of growth of government spending—heavily financed with debt—of any of the industrialized nations. The Japanese economy has been a case study in Keynesianism on steroids.

For 18 months now the political class in Washington in both parties has been aping that economic strategy. Funds that otherwise could go to business owners, entrepreneurs, venture capitalists, and investors are being misspent by Congress and government agencies instead.

All of this may explain why Americans feel more agitated by the performance of the economy than the official statistics would seem to warrant. Nearly half of voters now say that things are going "in the wrong direction," and the state of the economy has now replaced terrorism as their number-one concern. We are in merely a statistical economic recovery, not a real-world one.

This summer I traveled to San Francisco to ask Milton Friedman, the world's greatest living economist, what we should do to end the economic malaise and promote long-term growth. "Cut government spending," he said—"by as much as possible." That's the kind of clear thinking that you find little of in Washington. The economy could get back on a virtuous 4-percent-growth path soon if Congress and the White House would only listen to Friedman and not the ghost of Lord Keynes. **NR**

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■ THE CATHOLIC CHURCH ■

Collared—Falsely

Not every priest is rightly accused

ROD DREHER

"THIS is like affirmative-action time for victims," says one frustrated Catholic priest. "The attitude seems to be that because the Church discriminated against victims [of clergy sexual abuse] in the past, they should make up for it by discriminating against priests now. Whatever happened to justice?"

Well might he ask. Take the case of an African priest who until recently was living and studying in the Washington, D.C., area. His story represents just one example of the kind of accusations to which any priest in this country is vulnerable in the present scandal-charged atmosphere.

While at home this summer, between school terms at Washington's John Paul II Institute, the priest received a letter from the academic dean informing him that a fellow student, an adult woman, had lodged a charge of sexual impropriety against him. The charge was filed with Paul S. Loverde, the bishop of Arlington, Va., in whose diocese the priest was residing during the academic term.

According to the woman's June 5 letter, the priest kissed her in her apartment, and tried to grope her as she struggled to escape. After wriggling free, the woman said, she "took him to a coffee shop to give him an opportunity to 'wake up' and apologize," which she claims he did not. "Before God, I swear that I am innocent," the African responded in a written statement to the dean. "I am ready to talk it over with [the woman] in your presence."

On September 6, the priest met in Arlington with the diocese's investigator. By the priest's account, his accuser had taken him to her apartment briefly to show him books and photographs. They went to a restaurant for tea, then parted. If he had made sexual advances, the priest asked, why would she have agreed to go for tea with him afterward?

After talking to character witnesses and others, Bishop Loverde issued a ruling on September 13. In a letter to the priest, Loverde stated that "there is inadequate evidence to dismiss the allegation as unfounded. While I understand that you denied any inappropriate behavior, I have not been provided adequate evidence to substantiate your claim." Though the priest had never been allowed to confront his accuser (and though, by Bishop Loverde's own admission, she had not proved her case), the bishop judged him unfit to live in Arlington—a finding allowed under canon law because the African was not formally a priest of his diocese.

■

Priests now fear that their bishops will be willing to cashier them on the basis of mere allegations.

■

In a statement provided to NATIONAL REVIEW, the African, whose academic career at the institute is effectively over, denounced the investigation as a "sham" and criticized the diocese and the John Paul II Institute for not defending him. "I am innocent, yet I am being treated as if I am guilty," he protested.

Priests across America are afraid that the same or worse will happen to them—and that they stand to lose far more. They fear that their bishops, eager to get the sex-abuse scandal off the front pages, will be willing to cashier priests on the basis of mere allegations, and in violation of their canonical rights. "Virtually no trust remains in the bishops on the part of the priests," says one cleric from a mid-Atlantic diocese. "Right and left, the guys are just accepting the fact that we don't trust our bishop, and he doesn't trust us; that he doesn't listen to us, and we won't want to listen to him."

"There are a number of priests who want to take early retirement," adds a senior priest of a major archdiocese. "They no longer have any confidence in their bishops. They want out. They believe these bishops consider their priests to be employees, nothing more."

Spend any time talking with priests today and you're likely to hear about the case of Msgr. Michael Smith Foster, the Archdiocese of Boston's top canon lawyer. Foster was removed from ministry this summer after a Boston man filed a civil lawsuit accusing him of sexual abuse. But evidence emerged that the accuser was probably lying, and the suit collapsed. The archdiocese then restored Msgr. Foster to his duties—only to remove him again within days when the same discredited source made new allegations.

"If this can happen to one of the most highly respected canonists in the nation, as a result of an extremely weak allegation, at this point, what hope does the average parish priest who has not cracked open a canon-law textbook since before his ordination hold in a similar situation?" asks Pete Vere, a Catholic layman and licensed canonist who writes frequently on canon-law topics.

At a meeting this summer in Dallas, U.S. bishops adopted norms for dealing with the sex-abuse crisis. Since then, canonists and priests have reported numerous instances of clerics' being manhandled by bishops in violation of their rights under Church law—often on the basis of only one uncorroborated allegation. A high-level Church source tells NATIONAL REVIEW that an embargoed study of the Dallas norms, to be presented at the upcoming meeting of the Canon Law Society of America, will criticize the U.S. bishops for enforcing the norms even though Rome has not ruled on them.

According to the source, the study blasts bishops for exempting themselves from the Dallas norms, ignoring statutes of limitations in canon law, and denying accused priests their canonical right to know the details of charges laid against them. It also slams the bishops for adopting a definition of sexual abuse so broad that a priest could be judged guilty even if he never laid a hand on the alleged victim—and

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for suspending priests on the basis of an accusation, even with no clear way of determining whether the accusation is credible.

The Vatican is expected to rule on the Dallas norms any day. In the unlikely event that they are accepted, some priests and canonists predict that Dallas's mile-wide definition of sexual abuse will tempt unscrupulous bishops to get rid of priests they don't like by means of trumped-up sex charges. Fearing the worst no matter what Rome says, many priests have begun organizing for discussion, mutual support, and protection.

In Boston, clerics have been active for months in the Boston Priests Forum. And in New York, a nascent group called Voice of the Ordained recently met to air their grievances and talk about the calamity that has befallen the priesthood. About 140 current and former priests attended. "I think the future is going to bring a lot of lawsuits against bishops by priests," Msgr. William Varvaro, a canon lawyer, told the crowd. "That's what the lack of trust has brought about . . . How is it going to be restored? I have no idea. It's going to take almost a generation."

■

If justice for all Catholics is the ideal, zero tolerance remains a deeply flawed idea—and an unnecessary one.

■

The same applies to relations between priests and the laity, the monsignor added. The accounts of abuse are too numerous, and too sickening, for many parishioners today to muster either the old confidence in priests or sympathy for clerics as a whole in their predicament. And as long as Rome insists on keeping in office bishops, such as Boston's Bernard Cardinal Law, who have proven they cannot be trusted to deal responsibly with these grave matters, many Catholics may prefer to take their chances with a zero-tolerance regime—no matter how unfair it may be to priests.

But if justice for all Catholics is the ideal, zero tolerance remains a deeply flawed idea—and an unnecessary one. The Catholic Church has long had canonical rules and procedures for dealing with sexually abusive priests. Had they been followed, they would have prevented this catastrophe. Governing involves making decisions after reasoned deliberation, and taking responsibility for those decisions. In no just society can it mean drawing up laws and applying them mechanistically—as any aspirin-toting fourth grader suspended from school under zero-tolerance drug policies will attest.

The American bishops abdicated their role as governors a generation ago. Unfortunately, there is no indication that they have either the moral courage to understand what they've done, or the decency to resign before creating still more victims—this time, grown men in Roman collars—of their misuse of power. **NR**

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Visas for Terrorists

They were ill-prepared. They were laughable. They were approved.

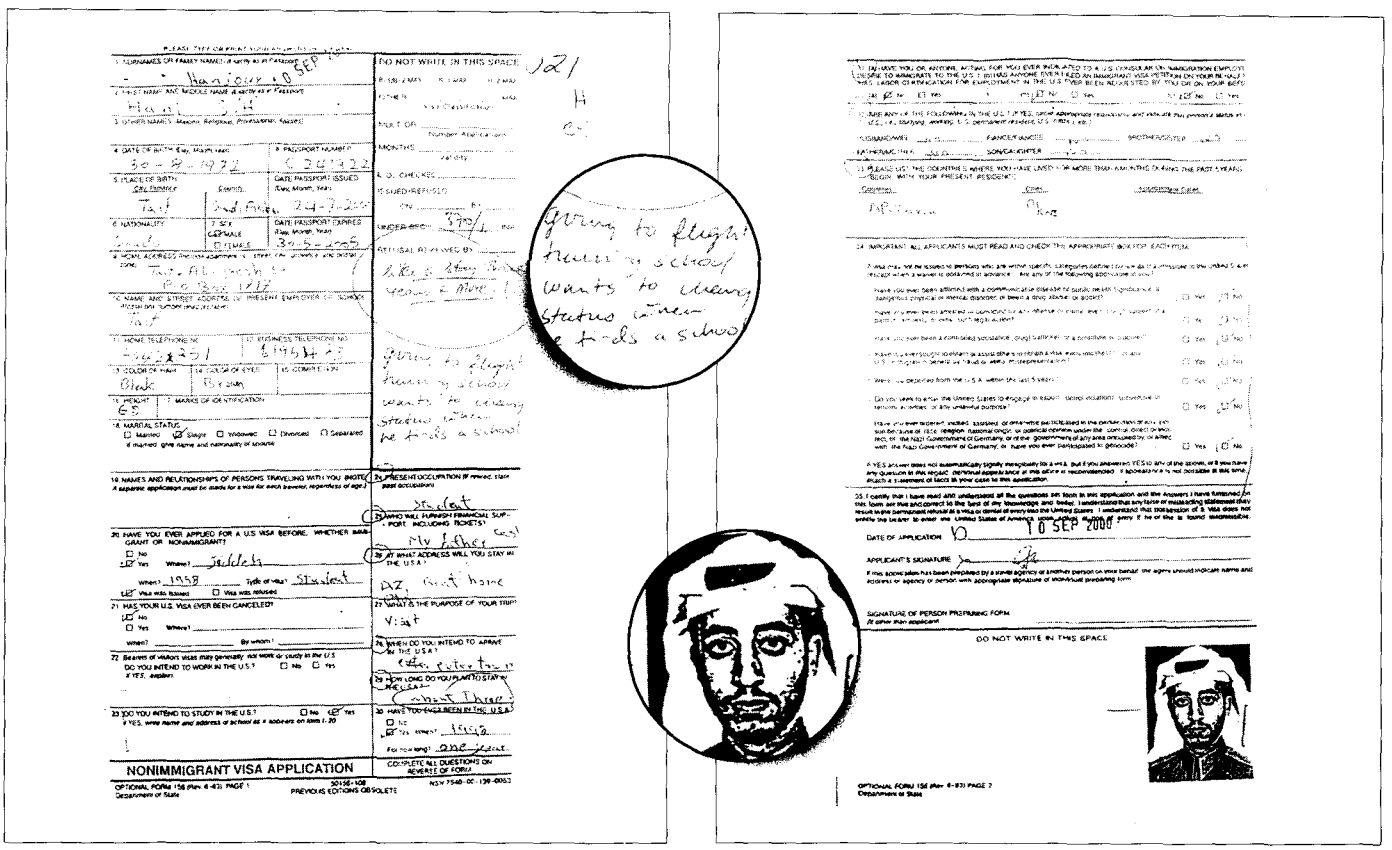
JOEL MOWBRAY

On June 18, 2001, Abdulaziz Alomari filled out a simple, two-page application for a visa to come to the United States. Alomari was not exactly the ideal candidate for a visa. He claimed to be a student, though he left blank the space for the name and address of his school. He checked the box claiming he was married, yet he left blank the area where he should have put the name of his spouse. This "student" indicated that he would self-finance a two-month stay at the "JKK Whyndham Hotel"—and evidently provided no proof, as required by law, that he could actually do so.

more than his name to obtain a visa to the United States. He was right: He got his visa.

When he arrived in the United States, he connected with his friend Mohamed Atta. And less than three months later—on September 11—he helped smash American Airlines Flight 11 into the north tower of the World Trade Center. Alomari never should have gotten the visa that allowed him to be in the United States on that day—and neither should at least 14 of the other 9/11 terrorists.

According to expert analyses of the visa-application forms of



All of the visa applications should have been denied on their face.

Despite the legal requirement that a visa applicant show strong roots in his home country (to give him a reason to return from America), Alomari listed his home address as the "ALQUDOS HTL JED" (a hotel in Jeddah, Saudi Arabia). Alomari didn't even bother filling in the fields asking for his nationality and sex, apparently realizing that he didn't need to list much

15 of the 19 Sept. 11 terrorists—obtained exclusively by NATIONAL REVIEW—all the applicants among the 15 reviewed should have been denied visas under then-existing law. NR's investigation reveals that the intelligence community's inability to "connect the dots" might not have been fatal had the State Department followed the law and prevented the "dots"

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from being here in the first place. We should now hope that our visa policy will be accorded the same level of attention that Congress is presently giving our intelligence failures.

Six separate experts who analyzed the forms obtained by NATIONAL REVIEW came to the same conclusion: All of the visa applications—14 from Saudis, one from a citizen of the United Arab Emirates—should have been denied on their face. The six experts include four former consular officers, a current consular officer stationed in Latin America, and a person with extensive consular experience who is currently a senior official at Consular Affairs (CA), the division within State that oversees consulates and visa issuance. All six strongly agreed that, even allowing for human error, no more than a handful of the applicants should have slipped through the cracks. Making the visa lapses even more inexplicable, State claims that at least 11 of the 15 terrorists were interviewed by consular officers. Nikolai Wenzel, one of the former consular officers who analyzed the forms, says that State's issuance of the visas "amounts to criminal negligence."

Some of the "criminal negligence" found in NR's investigation:

- Hani Hanjour, believed to have piloted American Airlines Flight 77 into the Pentagon, was denied a visa, only to conveniently change many answers on his next application—which enabled him to get a visa just two weeks later.
- Khalid al Mihdhar, one of the three terrorists who obtained visas through the now-defunct Visa Express program, listed simply "Hotel" as his U.S. destination.
- Saudi applicants received preferential treatment, with many portions of the law entirely waived and red flags ignored.
- One of the co-conspirators of the original 1993 World Trade Center bombing gained entry to the U.S. only because the law that would have kept him out was not enforced—just as it was not enforced for the 15 Sept. 11 applicants.
- The woman State wants to become the new chief enforcer of visa policies, Maura Harty, had not even reviewed the terrorists' visa applications as of the week of her October 3 hearing.

The experts familiar with the visa issuances in question do not fault the individual consular officers who processed the applications—they fault the policies and guidelines under which the officers were forced to operate. Remarks Jessica Vaughan, a former consular officer who analyzed the applications, "The consular officers weren't asleep at the switch. The problem was that the supervisors' hands were over the officers' eyes."

GROUNDS FOR DENIAL

The visas should have been denied because of a provision in the law known as 214(b), which holds that almost all nonimmigrant visa applicants are presumed to be would-be immigrants. In other words, the law says that when a consular officer reviews paperwork for a temporary visa, the applicant must

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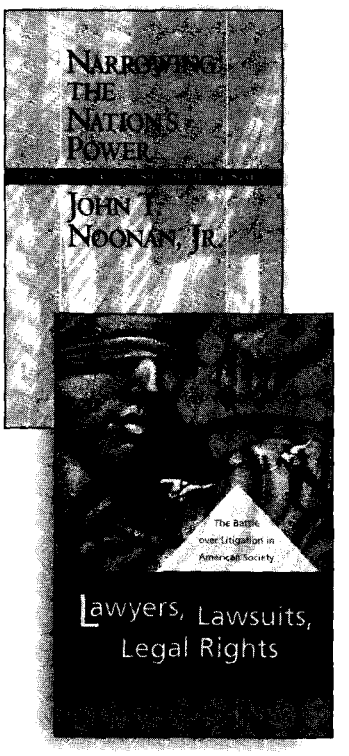

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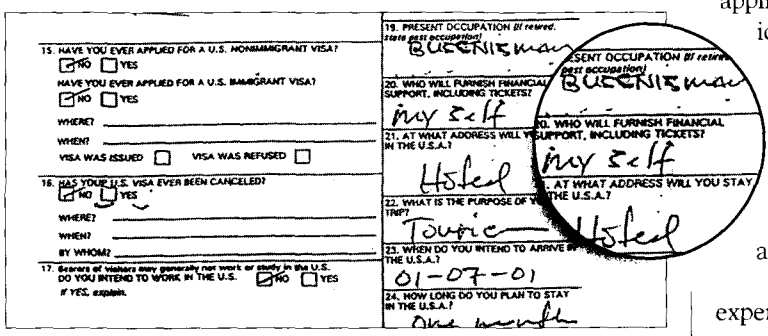
convince him that the visa will be used only for travel, work, or school, and not as a stepping stone to immigration. The law is clear: "Every alien [except in narrowly exempted subcategories] shall be presumed to be an immigrant until he establishes to the satisfaction of the consular officer, at the time of application for a visa, . . . that he is entitled to a nonimmigrant [visa]."

A non-immigrant-visa applicant has the burden of proving financial means (to show he won't become a minimum-wage worker in the U.S.), ties to his home country (a spouse, a house, and/or employment), and that the stated purpose for the visa is the actual reason for the journey. "As the applicant, you have to prove you're coming back. It's not hard for a genuine applicant, but it is meant to be extremely challenging for an unqualified one. It is the cornerstone of the non-immigrant visa system," says Vaughan, who worked as a consular officer in Trinidad and Tobago and in Belgium. State's deputy press secretary Phil Reeker has remarked that 214(b) is "quite a threshold to overcome." If only.

Around the world, 214(b) is the provision cited most often in denying visas, accounting for roughly three-quarters of all refusals. But many immigration experts believe that there are actually too few 214(b) denials, as evidenced by the 3 million illegal aliens who simply overstayed legal visas.

Defying the conventional wisdom that al-Qaeda had provided its operatives with extensive training to game the visa system, most of the applications were not completed properly and should have raised serious eligibility concerns in the consular


15. HAVE YOU EVER APPLIED FOR A U.S. NONIMMIGRANT VISA? ☑NO ☐YES
HAVE YOU EVER APPLIED FOR A U.S. IMMIGRANT VISA? ☑NO ☐YES
WHERE? _____
WHEN? _____
VISA WAS ISSUED ☐ VISA WAS REFUSED ☐
16. HAS YOUR U.S. VISA EVER BEEN CANCELED? ☑NO ☐YES
WHERE? _____
WHEN? _____
BY WHOM? _____
17. Seekers of visitor's entry (nonimmigrant) may work or study in the U.S. DO YOU INTEND TO WORK IN THE U.S.? ☑NO ☐YES
If YES, explain.
19. PRESENT OCCUPATION (If retired, state past occupation) BUSINESSman
20. WHO WILL FURNISH FINANCIAL SUPPORT, INCLUDING TICKETS? myself
21. AT WHAT ADDRESS WILL YOU STAY IN THE U.S.A.? Hotel
22. WHAT IS THE PURPOSE OF YOUR TRIP? Tourism
23. WHEN DO YOU INTEND TO ARRIVE IN THE U.S.A.? 01-07-01
24. HOW LONG DO YOU PLAN TO STAY IN THE U.S.A.? One month
PRESENT OCCUPATION (If retired, state past occupation) BUSINESSman
20. WHO WILL FURNISH FINANCIAL SUPPORT, INCLUDING TICKETS? myself
21. AT WHAT ADDRESS WILL YOU STAY IN THE U.S.A.? Hotel

Khalid al Mihdhar cryptically described himself as a "businessman."

officers' minds—but the "comment boxes" on all but one of the forms were not marked with any reasons why the officer decided to ignore the warning signs. (The comment box is found in the upper-right area of the first page of a visa application; it is here that consular officers add notes about the interviews or additional documents provided.)

Granted, the visas should have been denied only on considerations other than national security, but if the law had been enforced, most of the 9/11 terrorists never would have entered the United States. Most of them were young, single men with no demonstrated means of support, and with few or no ties to their home country—meaning that they were classic "overstay" candidates. Given that visa applicants have the burden of proving their eligibility, this raises the question: How did they clear the hurdles the law is intended to put in their path when they were already saddled with forms that could generously be described as sloppy?

Our experts noticed a raft of problems with the applications, and several patterns emerged:

No visible means of financial support. For almost all of the applications, the terrorists filled out the "Present Occupation" field with "Student." Salem al Hamzi boldly wrote "unemployed," while Khalid al Mihdhar cryptically described himself as a "businessman." Only on three forms was the area marked "Name and Street Address of Present Employer or School" even filled out. In answering the question "Who will furnish financial support?" most of them listed "Myself," while the rest cited family—despite a complete failure in most applications to demonstrate the requisite financial means. The terrorists could have offered further supporting documentation in order to obtain a visa, but the consular officers would have had to note this in the comment box.

Demographic concerns. As 214(b) states, young, single men face a strong presumption of being would-be immigrants. All but two of the applicants were single, and none was even 30 years old. These two factors alone should have made obtaining a visa very difficult for any of them in any country of the world, all six experts agree. A seasoned former consular officer adds, "Single, idle young adults with no specific destination in the United States rarely get visas absent compelling considerations."

Unclear destination in the United States. On the visa form, the applicant must identify the address where he will be in the United States. The purpose of obtaining this information is two-fold. First, an address theoretically enhances the ability of the Immigration and Naturalization Service to track down the applicant in America; second, it gives consular officers a better idea of the legitimacy of the stated purpose for the visa. But only one of the 15 applications lists an actual address, with the rest stating locations with such specificity as "California," "New York," "Hotel D.C.," and "Hotel." Amazingly, one terrorist listed his U.S. destination as "No." Not one of these woefully lacking answers warranted so much as a correction by a consular officer, let alone an outright denial.

Missing and incomplete information. What troubled the six experts most was the startling amount of missing information—something that should have been sufficient grounds to deny many of the visas. At the very least, the CA executive points out, "The consular officers should not have ended the interview until the forms were completed." Which prompts the question: Were 11 of the 15 terrorists whose applications NR obtained actually interviewed, as State claims? Any discrepancies or apparent problems that were resolved by way of explanation or additional documentation should have been noted in the comment box. Yet this appears to have been done only on the application of Hani Hanjour. An unidentified consulate employee commented on Hanjour's form: "going to flight school / wants to change status when he finds a school."

RED FLAGS IGNORED

A number of the applications had other details that should have aroused suspicions, but apparently didn't. Take, for example, the applications of the brothers Wail and Waleed al-Shehri. Wail claimed his occupation was "teater," while his brother wrote "student," and both listed the name and address of their employer or school as simply "South City." Each also declared a U.S. destination of "Wasantwn." But what should have further

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raised a consular officer's eyebrow is the fact that a student and his nominally employed brother were embarking on a four-to-six-month vacation, paid for by Wail's "teater" salary, which he presumably would be foregoing while on holiday. There is no indication that the consular officer even attempted to determine whether Wail in fact had the financial means to fund the jaunt.

Another warning sign that seems to have gone unheeded can be found in the paperwork for Saeed al Ghamdi. Aside from listing "HTL" as the address where he intended to stay in the U.S., al Ghamdi appears to have lied on his July 12, 2001, application when he checked "No" in answer to the question, "Have you ever been in the U.S.A.?" Al Ghamdi had been issued a B-1/B-2 Max Visa—which should have had a 24-month validity for pleasure and/or business—just ten months earlier, on September 4, 2000. Because NR has obtained his initial visa application, it is clear that al Ghamdi lied in answering "No" to the question, "Have you ever applied for a U.S. nonimmigrant visa?" If nothing else, the consular officer should have inquired why he had never used his original, seemingly still-valid visa. If he had admitted using the original visa, however, al Ghamdi would have been caught lying on the present form, resulting in a denial—or so one would hope.

The most troubling of the applications reviewed is Hanjour's. It appears that Hanjour was the only applicant of the 15 who was initially refused—although this is not entirely clear, because the consular officers did not always circle "Issued" or "Refused" (as required by law) on the other forms. Hanjour had received a student visa in 1997 in order to study English at the ELS Language Center in Melbourne, Fla. On his first of two attempts to obtain a second visa in 2000, Hanjour requested a travel visa for the purpose of a "visit"—for "three years." An unidentified consulate employee, likely a Foreign Service national (a Saudi resident), highlighted the obvious problem with an applicant stating a desire to overstay his visa (the maximum length for a travel visa is 24 months) with an extra-long "visit." The unknown employee wrote in the comment box: "like to stay three years or more!" and circled the remark. That employee or a different one also scribbled something underneath about Hanjour's wish to find a flight school during the trip. This application was refused—but only temporarily.

On the subsequent application filed two weeks later, Hanjour was armed with all the right answers. Rather than stating "AZ, Rent home" as his U.S. location, he gave a specific address, complete with a house number and street name—the only one of the 15 applicants to have done so. On the second go-round, Hanjour applied for a twelve-month student visa, and changed the purpose of the visit to "study" and the desired length of stay to a more appropriate "one year." But so many changes, all of which smoothed out rough spots on the original application, should have troubled the consular officer. "It's never a good sign if someone cleans up his paperwork too well," comments the current consular officer stationed in Latin America.

THE SAUDIS' FREE PASS

The sad truth is that nothing would likely have triggered denials for the Saudi terrorists. The consular culture in that country was typified by the consul general in Riyadh, Thomas P. Furey, who was in Saudi Arabia from the summer of 2000 to

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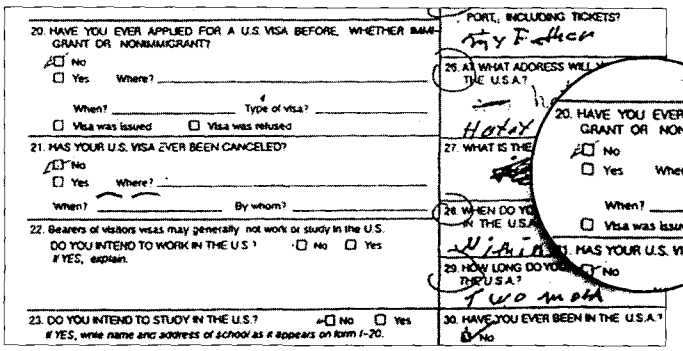
20. HAVE YOU EVER APPLIED FOR A U.S. VISA BEFORE, WHETHER IMMIGRANT OR NONIMMIGRANT?
No
Yes Where?
When? Type of visa?
Visa was issued Visa was refused
21. HAS YOUR U.S. VISA EVER BEEN CANCELED?
No
Yes Where?
When? By whom?
22. Bearers of visitors visas may generally not work or study in the U.S. DO YOU INTEND TO WORK IN THE U.S.? No Yes
IF YES, explain.
23. DO YOU INTEND TO STUDY IN THE U.S.? No Yes
IF YES, write name and address of school as it appears on form I-20.
PORT, INCLUDING TICKETS?
26. AT WHAT ADDRESS WILL
THE U.S.A.?
27. WHAT IS THE
28. WHEN DO YO
IN THE U.S.A.
29. HOW LONG DO YO
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two month
30. HAVE YOU EVER BEEN IN THE U.S.A.?
No

Saeed al Ghamdi lied on his application.

the fall of 2001, and who is remembered by colleagues for his catchphrase "People gotta have their visas." Congressional sources confirm that the General Accounting Office, which is investigating the procedures used in Saudi Arabia, has found that the 214(b) presumption was turned on its head. Saudi applicants were *presumed eligible* for a visa, and consular officers needed to find reasons to *deny* visas. It's not just that the presumption was shifted, contrary to law; it's that even grossly flawed applications were treated as infallible. The consulate in Jeddah, where many of the terrorists' visas were issued, refused applications for fewer than 2 percent of Saudi nationals in the twelve months prior to 9/11. The worldwide refusal rate for temporary visas? Approximately 25 percent.

This incredibly permissive stance may explain why the visa applications of the eleven terrorists who State claims were actually interviewed by consular officers were generally no better than those of the three terrorists who entered the United States through the now-infamous Visa Express program, which started just three months before 9/11 and allowed Saudi nationals and non-citizens alike to submit visa applications to their local travel agencies.

State continues to defend its decision to issue legal visas to all of the Sept. 11 terrorists by pointing out that none of their names were on the department's "watch list." Without that intelligence information, claims State, there was little it could have done to keep the terrorists from entering the United States. This is simply not true.

Leaving aside for a moment the fact that most of the terrorists should have been denied visas on 214(b) grounds, State should have lived up to its responsibility under Visas Viper, a worldwide program that relies on local intelligence to identify known shady characters; it also should have developed a policy for determining which kinds of applicants should receive closer scrutiny. The senior CA official comments, "There should have been some security protocols in place in Saudi Arabia before 9/11. We already knew about Saudi involvement in other terrorist attacks, so it shouldn't have been a surprise that Saudi Arabia turned out to be a hotbed of al-Qaeda activity."

Even without identifying known threats in the community, the embassy in Riyadh and the consulate in Jeddah could have developed a profile based on available information about the types of applicants warranting a harder look. State should have known before 9/11 that strict enforcement of 214(b) alone would have kept out Mohammed Salameh, one of the co-conspirators in the 1993 World Trade Center bombing. Salameh "was given a tourist visa in 1988 despite the fact that he was only 19 years old, unmarried, and reportedly making $50 a month in Jordan," finds Steven Camarota, research director for the Center for Immigration Studies, in a recent report.

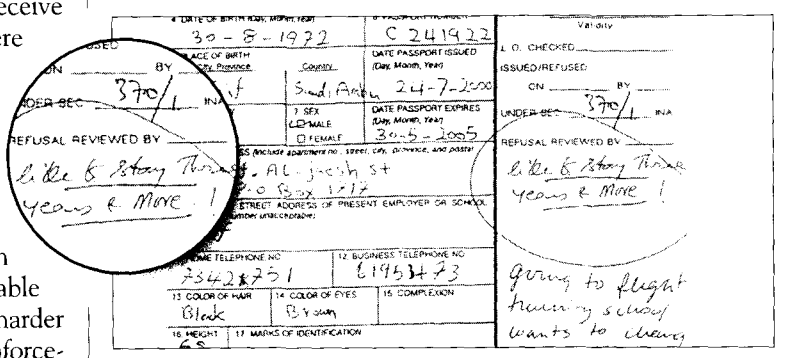
The situation in Saudi Arabia has possibly improved since Visa Express was ended in July of this year. Accounts are mixed, but some people familiar with the new visa procedures believe that the process is on its way to functioning as it should. But there is one big statistic arguing against this optimistic view: In documents bearing its letterhead, the embassy claims that its refusal rate for Saudi nationals in the twelve months following 9/11 is a mere 3 percent.

While it is true that the number of applications submitted is down by approximately two-thirds, it is hard to imagine genuinely tight procedures in any country allowing all but 3 percent of applicants to pass through. Nikolai Wenzel puts it more bluntly: "To say that strict screening results in only a 3 percent refusal rate anywhere—let alone in the country that sent us 15 of 19 Sept. 11 terrorists—is ridiculous."

SOME FIXES

Although many potential reforms have been discussed in recent months, the simplest measure that would provide the greatest return in terms of enhanced border security would be empowering consular officers to refuse applicants who just don't seem right. Such a proposal would create a presumption in the law that the visa applicant would have to overcome by proving that he is in fact coming to the U.S. for the purpose stated on the application. Though this is like the authority already vested in 214(b)—and functionally the same, since visa refusals cannot be appealed, meaning that 214(b) can be used for a wide variety of reasons—it would give explicit power to consular officers to deny someone if the applicant simply seems untrustworthy or otherwise appears suspicious.

The only way to make such a measure truly effective, though, would be to protect consular officers from "courtesy culture" managers like Thomas Furey, by enacting into law a provision that says a high refusal rate cannot be factored against a consular officer in a job review. Only with that protection would a consular officer feel free to exercise his best discretion in weeding out questionable applicants. In fact, shielding consular officers from the "courtesy culture" might have helped keep out several of the 9/11 terrorists. Rep. Dan Burton (R., Ind.) noted in a July 9 letter to Secretary of State Colin Powell, "At least one consular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An unidentified consulate employee highlighted the obvious problem.

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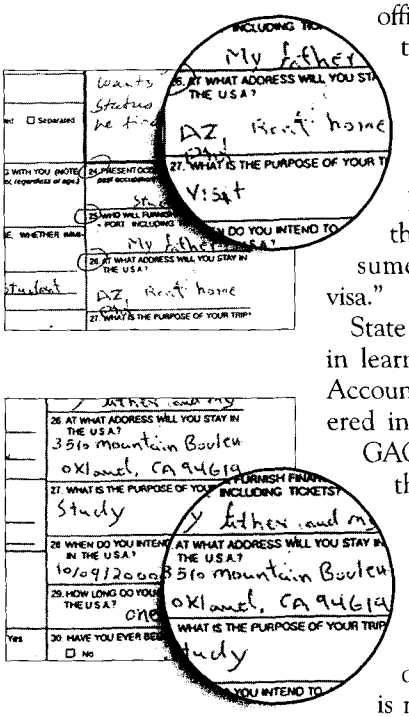

On a second go-round, Hanjour was armed with all the right answers.

officer informed the GAO that she would not have granted the visas to some of the September 11 hijackers if the State Department had not had an informal policy that all Saudis were presumed to be entitled to a visa."

State has shown little interest in learning what the General Accounting Office has discovered in its investigation. The GAO found that, as of May, the department had not even interviewed the consular officers who issued the 9/11 visas, including the officer who issued visas to ten of the terrorists. State is mum on whether it has talked to the officers since. Because of the department's unwillingness, post-9/11, to uphold the law, the only solution is to transfer enforcement powers to an agency that would treat the visa power with the national-security importance it deserves. Although any new bureaucracy should be viewed with a healthy dose of skepticism, a Department of Homeland Security could not do any worse than State already has in protecting our shores from terrorist infiltration. The new department would have the distinct advantage of being able to make visa decisions free of many of the diplomatic concerns that have compromised State's ability to act forcefully in the area of border security.

If the authority to control consular officers and visa decisions remains within State, the process will always be subject to political and diplomatic pressures. State's inherent bias toward issuing rather than denying visas can be seen in the supervisors' role in the process. Supervisors review only denials, not issuances. In lobbying Congress this summer to keep the visa function within State, Secretary Powell declared that the visa power was vital to State's mission of diplomacy, because he feared that, otherwise, countries that deserve visas for diplomatic reasons might instead be denied visas on security grounds. Powell adamantly maintained that a beefed-up watch list and enhanced technology would be sufficient safeguards to screen out terrorists.

Powell's argument won the day with the House, but Nikolai Wenzel is one who doesn't buy it. The former consular officer warns, "All the technology and all the intelligence in the world won't do any good if the will to enforce the law is not there." **NR**

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The End of an Alliance

It's time to tell the House of Saud goodbye

ALEX ALEXIEV

OVER the long run, the key to winning the war against Islamist terror is helping moderates win the political struggle within Islam. The early stages of the war on terror showed much promise in this respect. In a remarkably short time, using a quiet but effective carrot-and-stick approach, Washington was able to effect an about-face in Pakistan's policies, transforming it from an al-Qaeda sponsor to a cooperative ally. Similar changes were secured by similar methods in some other countries known previously as havens for extremists, such as Yemen, Somalia, and Sudan.

Since then, however, the U.S. has failed to pursue a coherent political strategy aimed at de-legitimizing the ideology of Islamic terrorism and undermining the terrorists' sources of support. And it is becoming increasingly clear that the reason for this failure is Washington's unwillingness to risk a rupture with Saudi Arabia. But the Bush administration has to face up to the fact that Riyadh has been—and remains—the main ideological and financial sponsor of Islamic extremism worldwide, and is not at all interested in helping us combat it. Until the administration confronts this reality in a decisive manner, lasting progress in the war on terrorism is unlikely.

By Roman Genn

Nothing better illustrates the Saudis' intransigence—and the administration's timidity in dealing with it—than two cases of U.S.-Saudi "cooperation" that recently came to light. On March 11, the Treasury Department announced with great fanfare that the U.S. and Saudi Arabia had jointly blocked the funds of the Bosnia and Somalia offices of the "private, charitable, and educational" Al-Haramain Islamic Foundation because it was diverting funds to terrorists. This action, according to Treasury, "opened a new phase in international cooperation to destroy terrorist financing" and proved the "strength of the anti-terror coalition." In reality, Al-Haramain—alongside the World Muslim League—is the Saudis' largest Islamist front organization, controlled directly by the minister of religious affairs and in charge of spending huge amounts of (mostly government) money to promote the radical-Islamist agenda worldwide. It has offices in over 50 countries and operates through Saudi embassies in another 40; as for its Bosnia and Somalia operations, business even there is continuing as usual, despite additional evidence of terrorist ties unearthed by Bosnian police in a raid on June 3. Al-Haramain's director, Aqeel al-Aqeel, noted with satisfaction in early September that "America has tried to establish a link between terrorism and Islamic charitable societies and failed"—and went on to assert that Al-Haramain's donations and activities both have intensified since 9/11. Indeed they have: Al-Haramain has opened three new offices since then.

The second case deals with Wael Hamza Julaidan. A Saudi citizen from a prominent family, Julaidan is known as having had a long and close relationship with Osama bin Laden and is often referred to as a co-founder of al-Qaeda. Though well known for his extremist views, he has also made a career as a Saudi functionary, for instance, as the director of a financial arm of the Saudi-sponsored World Muslim League called the Rabita Trust. Under his direction, the Rabita Trust has been implicated in funding al-Qaeda and other terrorist organizations. It was thus a pleasant surprise when U.S. authorities announced on September 6 that they—in a joint action with Saudi Arabia—had placed Julaidan on the list of people suspected of funding terrorism. Two days later, however, the Saudi interior minister publicly denied that his government was involved in this case, and implied that Julaidan was innocent.

What accounts for the Saudis' blatant unwillingness to cooperate, even as they continue to insist that they are our ally? The answer is very simple: Any genuine help by Riyadh in untangling the complex web financing extremism will inevitably implicate both the Saudi government and countless prominent Saudis. Saudi charities are no more private than were yesterday's Soviet-sponsored "peace-loving" organizations. In a dictatorship of a totalitarian bent like Saudi Arabia's, "private charities" exist for the explicit purpose of carrying out the policy of the state, and that policy will change only if the state is forced to change it. And this will not happen if Washington continues to speak softly and carry no stick.

The more interesting question here is why Saudi Arabia has for years pursued a policy that sooner or later was going to put it on a collision course with the U.S. and the West. The short answer is that by aiding and abetting radical Islam, Riyadh is simply following the logic of its state ideology.

THE SAUDI STATE AND WORLD WAHHABISM

The Saudi state religion, Wahhabist Islam, would have been of no geopolitical consequence had it remained tucked in a corner of the Arabian desert. But—beginning in the 1960s and accelerating thereafter—the Saudi government embarked on a massive campaign to promote this extremist creed throughout the Muslim world. Flush with oil money, Riyadh became the paymaster of most of the new militant

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Islamic movements. In its aggressive support of radical Islam, the House of Saud was pursuing two goals: It sought to spread its political influence abroad and co-opt extremists at home (who were denouncing the regime's Western orientation).

Over the years, the Saudis set up a number of large front organizations, such as the World Muslim League, the World Assembly of Muslim Youth, the Al-Haramain Foundation, and a great number of Islamic "charities." While invariably claiming that they were private, all of these groups were tightly controlled and financed by the Saudi government and the Wahhabi clergy, and—more often than not—run by government officials. Money flowed, and even the most violent of Islamic groups, like Egypt's Muslim Brotherhood, could count on Saudi largesse.

The Saudis focused heavily on infiltrating Muslim communities in non-Muslim regions, especially the U.S. and Europe. These communities were relatively small and were made up mostly of poor emigrants uprooted from traditional Muslim societies, which made them particularly susceptible to Islamist money and indoctrination. According to official Saudi information, Saudi funds have been used to build and maintain over 1,500 mosques, 210 Islamic centers, and dozens of academies and schools in non-Muslim countries since the 1970s. A huge new printing complex in Medina churned out free copies of Wahhabi propaganda by the millions, and tens of thousands of Muslims were invited on all-expenses-paid indoctrination visits. Saudi aid to Muslims in other countries comes with strings attached, and most of the recipient institutions end up promoting Islamic fundamentalism.

In the early 1990s, the collapse of the Soviet empire occasioned another major Saudi offensive: an effort to establish a foothold for Wahhabi radicalism in the newly emancipated states, many of which had large Muslim populations. Huge amounts of Saudi money were spent in Central Asia, the North Caucasus, and the Balkans.

While exact figures on this spending are hard to come by, it is clear from what we do know that this is *the largest worldwide propaganda campaign ever mounted*. Official Saudi sources indicate that between 1975 and 1987, Riyadh's "overseas development aid" averaged $4 billion per year, and there is evidence that this level was maintained in the 1990s. While some of this aid did go to legitimate development-assistance activities, Saudi data show that at least half ($50 billion over two and a half decades) and perhaps as much as two-thirds financed strictly "Islamic activities." Compared to these numbers, the massive Soviet external-propaganda budget (estimated at $1 billion annually at the peak of Moscow's power) looks modest indeed.

As a result of these efforts, many Muslim religious establishments and institutions worldwide have fallen under the influence of radical Islamist doctrines and jihadist groups. It would be an exaggeration to argue that extremism has become the dominant idiom in Islam, but there is no question that Saudi money has been able to buy a significant foothold for extremist views and fanaticism unrepresentative of mainstream Islam.

■

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Even a cursory look reveals the disturbing reality. In the U.S. and Canada an estimated 80 percent of all Islamic establishments are said to be supported financially by the Saudis. The majority of Muslim Student Associations at U.S. colleges are dominated by Islamist and anti-American agendas, as are most of the numerous Islamic centers and schools financed by the Saudis. Intolerance and outright rejection of American values and democratic ideals are often taught also in the growing number of Deobandi schools that are frequently subsidized by the Saudis. (The Deobandi sect is an extreme and obscurantist creed very similar to Wahhabism and long allied to it; their schools offer multi-year courses that consist of nothing more than Koran memorization.) Islamic donation activities are dominated by the U.S. branches of Saudi Arabia-based charities, at least a dozen of which are directly implicated in funding terrorism. The Saudis have also focused on spreading radical Islam in the American black community and have a special program aimed at converting blacks in prison.

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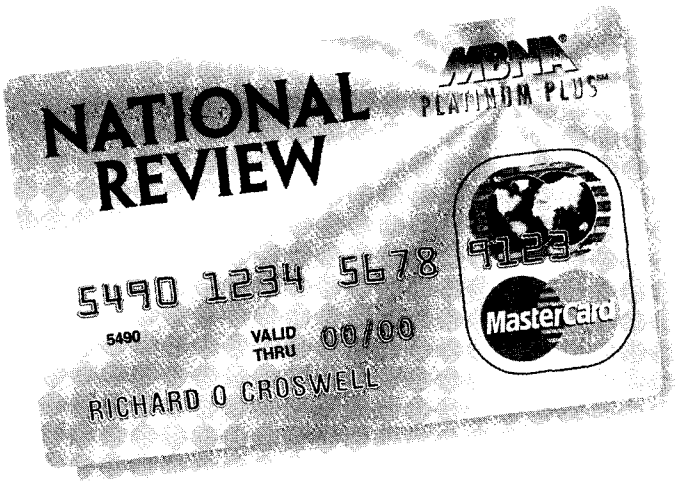

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Since 9/11, the vast majority of the nearly 50 Islamic organizations that have been raided, closed down, or had their assets frozen by federal authorities because of suspected terrorist ties have been either controlled or funded—or both—by the Saudis. These include the SAAR Foundation, founded by one of the richest Saudi families, which received $1.7 billion in donations in 1998 alone; the World Muslim League; the World Assembly of Muslim Youth, whose U.S. office was headed by one of Osama bin Laden's brothers; the Safa Trust; the Success Foundation; the Benevolence International Foundation; the Taibah International Aid Association; the Humana Charitable Trust; the Global Relief Organization; and many others. Numerous Islamic educational organizations have also been raided, for good cause; among them are the International Institute of Islamic Thought, the Fiqh Council, and the School of Islamic and Social Sciences.

Saudi infiltration in Western Europe follows a similar pattern. Today, virtually every major European city has a Wahhabi-sponsored mosque or Islamic center. These establishments almost inevitably become breeding grounds of extremism while playing the essential role of meeting, communication, and logistic centers for both resident and itinerant terrorists. Such was, for instance, the key role played by the Al Aqsa mosque in Hamburg in the terrorist preparations for 9/11.

In South Asia, the Saudis sponsor the estimated 10,000 madrassas in India, Bangladesh, and Pakistan, run by the Deobandi sect. These madrassas are little more than incubators for Muslim fanatics and terrorists and have contributed immeasurably to the ongoing destabilization of Pakistan, besides supplying most of the erstwhile Taliban recruits. The progressive radicalization of Islam in India is almost certainly going to lead to much greater instability and violence in the near future.

In the Balkans, the Saudis have made a major and costly effort to infiltrate the traditional Muslim communities in Bosnia, Albania, and Kosovo. In Bosnia alone, a country with a Muslim population of only 1.5 million, Riyadh has spent over $600 million on Islamic activities, according to official Saudi sources. Although it is not at all clear that the Wahhabis have succeeded on any large scale, there are currently radical Islamist organizations entrenched in virtually all Balkan countries; there was none before the Saudi involvement.

Like the Balkans, the countries of the former Soviet Union became the focus of intense interest on the part of Saudi Arabia after the Soviet collapse. A number of post-Soviet states have majority Muslim populations, as do several Russian regions. Evidence suggests that the Saudis began sending Wahhabi proselytizers and money to the North Caucasus—and especially Dagestan and Chechnya—as early as the late 1980s, when perestroika made travel easier and controls over religion relaxed. A backlash in both the Caucasus and Russia proper led to the banning of Wahhabism in Dagestan, and persistent calls for its prohibition in Russia. Last May, a group of prominent Muslim leaders sent a letter to President Putin accusing the Wahhabis of being "pseudo-Islamic provocateurs" and supporters of terrorism, and demanding that they be banned from Russia.

'DE-JIHADING' ISLAM

The analysis above points to several conclusions. In the immediate term, it is clear that the U.S. cannot count on cooperation from Riyadh in its efforts to destroy the terrorists' worldwide funding network. The reasons for Saudi intransigence are systemic and thus not subject to easy change. This means that Washington must increasingly rely on unilateral methods, without undue concern for Saudi sensibilities. A much more aggressive policy is called for in shutting down the activities of implicated Saudi charities and front organizations. Many of these organizations have been compromised to such an extent that the only reason they haven't been banned from the U.S. already is Washington's reluctance to confront the Saudis. Internationally, if U.S. authorities have information on, say, funding of terrorists by Al-Haramain in Bosnia, they need to work only with the Bosnian government in order to close them down. Saudi

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involvement, as experience has shown, is likely at best to be unhelpful, and at worst to compromise the operation.

We should also take a closer look at various activities that were hushed up in the past for political reasons. In 1995, Treasury Department agents initiated an investigation into the shady dealings of a number of Saudi U.S.-based charities with suspected extremist groups. Inexplicably, the investigation was summarily shut down by political fiat of the Clinton administration. Had this and similar investigations been allowed to proceed, U.S. security might have benefited immensely; serious warnings of possible al-Qaeda terrorist operations like 9/11 had been issued already in the mid 1990s.

■

Radical Islam as an ideology is best dealt with by ideological and political means—in other words, political warfare.

■

We have to be aggressive—and this means that conflict with the Saudis is unavoidable.

A second important implication of this analysis is that we have to wage a political struggle—a war of ideas—against Islamist extremism. There is incontrovertible evidence that radical Islamist ideologies have gained a significant foothold among American Muslims, courtesy of Saudi Arabia. Cracking down on Saudi infiltration should help us deal with the problem. It should be clearly understood that Islamic extremism is not a matter of religion, but a matter of criminal sedition that should not be tolerated any more than Nazi conspiratorial activities and indoctrination would have been tolerated during World War II. This means that we should make use of the full gamut of law-enforcement methods applied to seditious organizations.

Ultimately, though, radical Islam as an ideology is best dealt with by ideological and political means—in other words, political warfare. And the extremists have two obvious and significant vulnerabilities we should exploit: the ideology of jihad and the nature of Wahhabi subversion worldwide.

The jihad ideology motivating radical Islamist terrorism is not only unrepresentative of the Islam practiced by the vast majority of Muslims, but in many ways runs counter to it. Despite claiming incessantly to represent true Islam, Wahhabis and their fellow extremists espouse violent doctrines that are often in conflict with the faith's tenets. They are also a tiny minority; fewer than 1.5 percent of the world's 1.2 billion Muslims subscribe to the Wahhabi or similar creeds. All of this is easy to prove and well known to mainstream Muslim believers; the reason little of this is being heard in the media is simply money. In the U.S., virtually all organizations claiming to represent American Muslims are financed and controlled by the Wahhabis, who deliberately silence other viewpoints. The decades-long U.S. alliance with Saudi Arabia has contributed in no small measure to the credibility of that state and, by implication, the reach of its ideology. A break with Riyadh would undermine both.

Mainstream Muslim groups feel no less threatened by Islamic extremism than we do, and will therefore be very helpful to our campaign to de-legitimize the extremists. The aggressive spread of Wahhabism has made the moderate Muslims' traditional hostility to it even more acute; among these groups, anti-Wahhabi polemics and denunciations already abound. In just one example, the leadership of the Naqshbandi Sufi order, which has millions of followers around the world, has for years exposed the Wahhabis' terrorist extremism. As early as 1999, the Naqshbandi leader in America, Sheikh Hisham Kabbani, persuasively documented the threat that Wahhabism posed to America; his warnings were met with vitriolic denunciations by the Islamic establishment, and indifference on the part of the U.S. government.

Groups like these are our natural allies. They are the voice of the faithful. That's why the U.S. must take the lead in forging a Muslim alliance against extremism—and provide the resources to make sure their views are heard.

Just as important, any organized campaign to de-legitimize extremism among Muslims should be accompanied by assurances that we know and respect their religion. The extremists do everything possible to present the West's anti-terrorist struggle as a war against Islam. Unfortunately, they are occasionally assisted in this objective by intemperate and uninformed remarks by prominent and otherwise well-meaning people. A case in point is the spate of recent media utterances by leaders of the U.S. evangelical community accusing the Muslim religion of being intolerant, ignorant, or worse. This is grist for the mill of the extremists, and it doesn't even have the benefit of being true: A good case could be made that Islam, for much of its history, was both more tolerant and less obscurantist than Christianity. (It was, for example, the Muslim Ottomans who saved the Jews from the Inquisition in 1492.)

Our campaign should also expose the Wahhabis' aggressive tactics in penetrating Muslim communities around the world. Their activities are so extensive that they now threaten not only traditional religious establishments but, in some places, the government itself. A broad backlash is underway, and the U.S. should align itself with and manage—lead—that backlash. Such an alliance against extremism would make the coalition against terror more effective, by focusing on the very specific threats of extremism on our allies' home turf.

All of this is predicated on Washington's long-overdue realization that the failure to confront global Saudi subversion has grave security consequences. The evidence of Saudi misdeeds is so overwhelming that it will be more and more difficult to delay this realization. At some point, continued failure to face the problem will start to look like dereliction of duty.

The logic of the broader strategic vision of the Bush administration also argues against continuing to coddle Riyadh. The U.S. has at long last put both Arafat and the ayatollahs on notice that liberalization is the answer; the same message will be delivered soon to Saddam. We must apply the same logic to the House of Saud: A corrupt dictatorship with a subversive ideology and a failed economy—one that denies basic rights to half of its population and beats people who are five minutes late for prayers—would be no less out of place in the new Middle East than Saddam and the ayatollahs. Sooner or later it must, and will, go. **NR**

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THE LONG VIEW

By Rob Long

The War Diaries
The Healthy, Vigorous Debate Edition ™

From *You Don't Get Cookies on Air Force Transport Jets, and Other Nutty Observations* by David Bonior:

> . . . wonderfully dry air, extremely healthful for the sinuses, and vast vistas of desert that fill one with a sense of awe and wonder. I sat for a while on the hood of our courtesy van, making rough sketches of the view in my travel journal. "What's that?" I asked our wonderfully warm and open guide, Osmir. I pointed to a large structure in the distance, surrounded by barbed wire, patrolled by armed guards, dotted with satellite dishes, and glowing eerily in the desert twilight. "Oh, that," said Osmir, peering in the distance. "That is a mosque," he said. "Well, Osmir," I said, "it certainly is quite beautiful." "Yes, yes, it is," he said slowly. "It is a beautiful mosque." He looked at me strangely, as if he could scarcely believe that a United States congressman could find a mosque so beautiful. "Please," he said, "I cannot allow you to see it." I waved cheerfully. "Oh, Osmir!" I said, "I can see it fine from here." And then we both laughed.
>
> . . . driving by another one of those large mosques when I noticed that the ground around it was covered by dead livestock. "Hey, Osmir, what gives?" I asked our host. I was prepared to give the Iraqis a major tongue-lashing—it was obvious that their animal-husbandry practices were sorely lacking in efficiency. "What's up with all of the dead livestock, Osmir?" I asked, wagging a little finger. He looked nervous and ashamed. "Oh, yes, those. Well, you see, they have died from . . ." His voice trailed off. "From what, Osmir?" I pressed. "From . . . sorrow?" he said. Of course! Sorrow! Now it was my turn to be ashamed . . .

From *You Didn't Let Me Finish* by Tom Daschle:

> . . . when it was clear that what I was saying wasn't that I didn't support the president in his efforts to remove Saddam Hussein, but that I thought that those efforts—which I supported, of course—were proper and fitting but also ill-conceived and needed to be criticized by others who also supported the president and his position, which, to be fair, is the essence of our democratic system, and my constitutional duty as a United States senator which is to draw attention to those concerns raised by people who support the president's policies and who understand that Saddam Hussein, while being a great threat to our national security—indeed, to world security—isn't at present the kind of threat that needs to be handled in a unilateral military fashion unless it becomes necessary, which it almost certainly is—and this has been my position all along. The media, disappointingly, made a muddle of my position . . .

From the diary of John Edwards, Esq.:

> . . . tiny little sliver of room somewhere between the no-war-ever guys and the yes-war-now guys, which should be enough to appeal to the 35–50 demo, "liberal/independent" on the grid, mostly in metro Manchester and Concord and in the Boston suburbs along the border—crucial, actually, to get some walkers and envelope stuffers in line by the winter. If I can show there, with the South an easier effort, I can raise big $$$ and still come out in favor of the war with reservations to be designated at a later date in case we lose and scoop up the moderate-left base that doesn't feel comfortable voting for somebody who's so in-your-face about his religion like . . .

From *Profiles in My Courage* by former senator Joe Lieberman:

> . . . without regard to politics or popularity or polls or focus groups or any of the nonsense that passes for courage these days. I just made my choice. I spoke my mind in a clear and loud voice, with pride and conviction, and when I was done, I knew I had made the right decision. "That will be five thirty-seven," the voice in the clown's mouth said to me, after I had announced my courageous choice. "Please drive around to window two," it continued, and as I did, I reflected on how difficult it would be to announce my candidacy and possibly hurt the man who put me on a national ticket in the first place, but who it seemed to me then had lost his way. Of course, at that time, we didn't know anything about the terrible mental illness he was battling, nor did we have any inkling about its ultimate tragic end . . .

From the diaries of Al Gore, as published in *Journal of Mental Illness*, "Quiet Madness: The Unwinding of Al Gore," November 2003:

> . . . all against Al, of course, all trying to hurt Al again like they did before. But Al won't let them. No he won't. Al is safe now, safe from their taunts and teases and tricks. Al can make big important speeches and they have to listen to him. He can say "do this!" and "do that!" and they have to do it or he will unleash his Special Powers. They try and try to get into his brain and get into his head—hahahahaha-haha!!!! The tinfoil keeps them out and boy are they mad! They look at Al Gore Jr. giving important speeches that he writes himself all over his hand and they can't beam into his head because he's wrapped in tinfoil and has powerful rubber bands around his feet and Tipper cries when she sees him wrap himself in the bathrobe and write his speeches on the wall with the Special Crayon but she doesn't understand he's becoming something . . .

From the diary of Rep. Jim McDermott (D., Wash.), published posthumously:

> . . . just a terrific kind of eggplant thing they kind of stuff into a pita. Just great . . .
>
> . . . walking through one of their advanced medical-research labs when I spotted a dish of white powder. "What is that? Cremora?" I asked. Well, whatever it was, it certainly made my coffee creamier . . .

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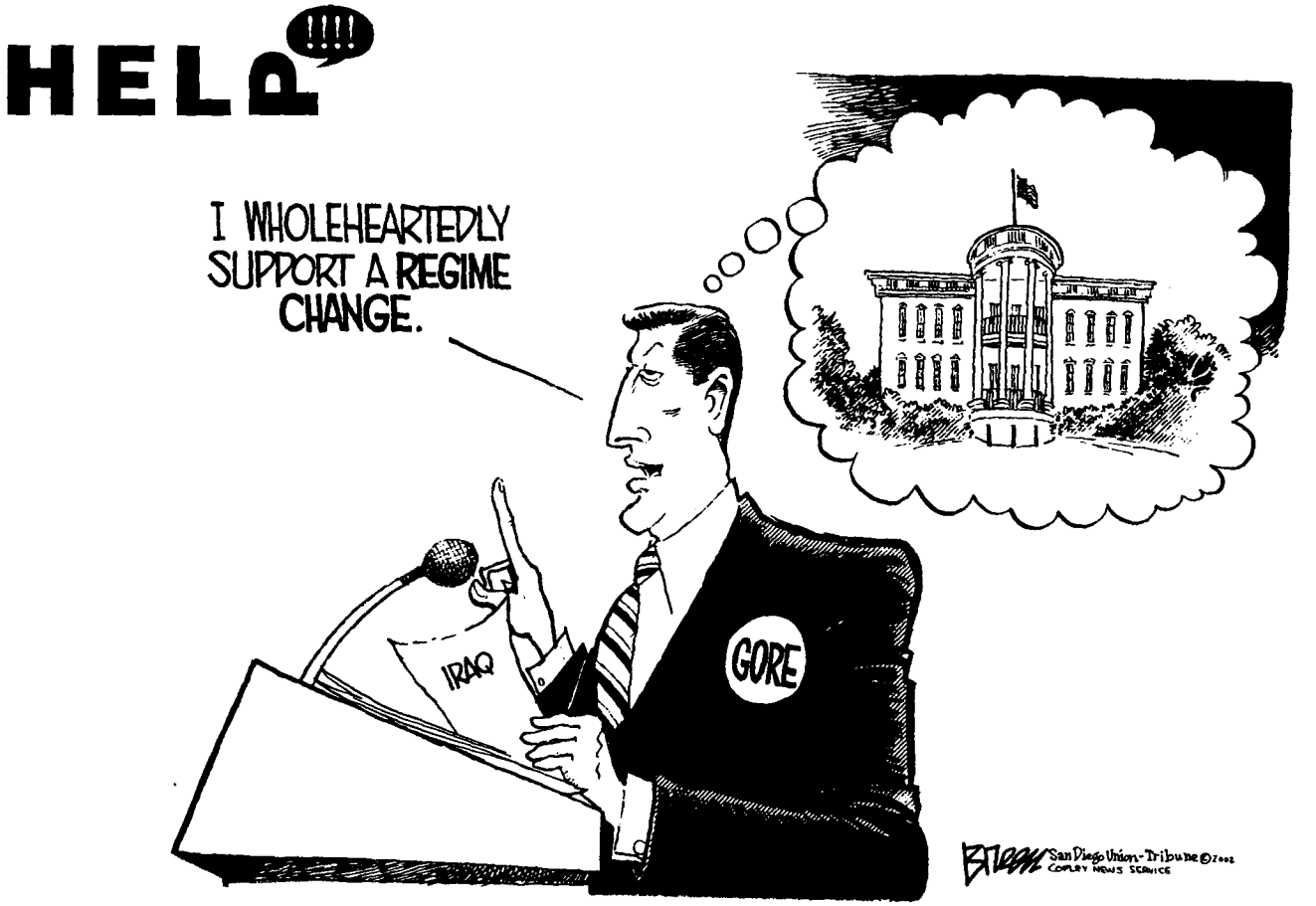

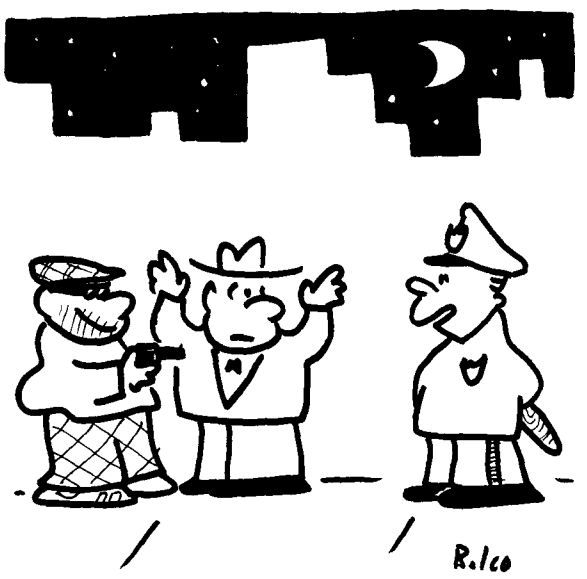

"I'd like to help, sir, but I've been reassigned to the drug war."

In the Rose Garden

I heard Dick Gephardt shouting
Rude things about Saddam;
He stood so near the president,
An elbow, then his palm
Alarmed the Secret Service—
Dick does gesticulate.
But Gephardt made Pelosi puke
And Frank expectorate.

—W. H. von Dreele

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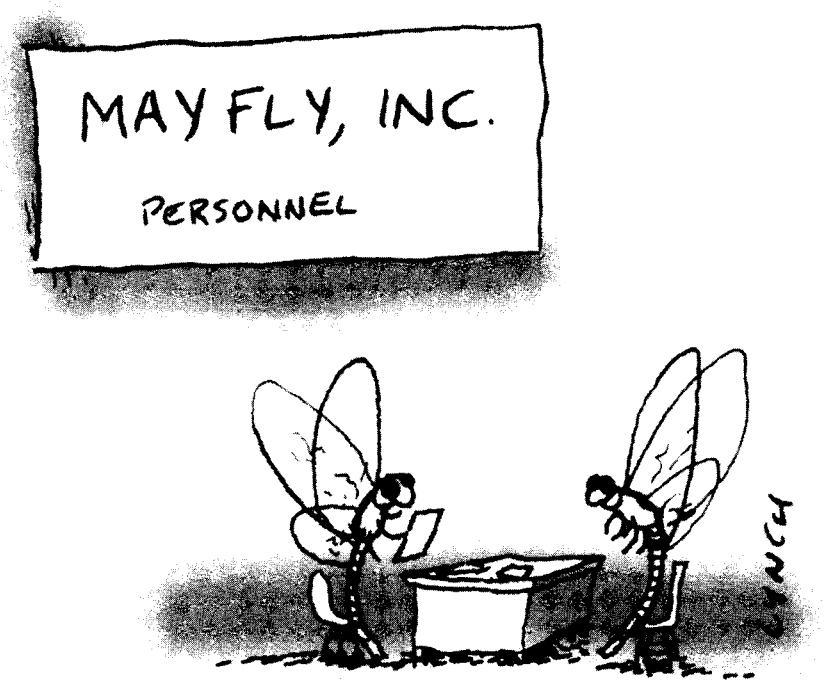
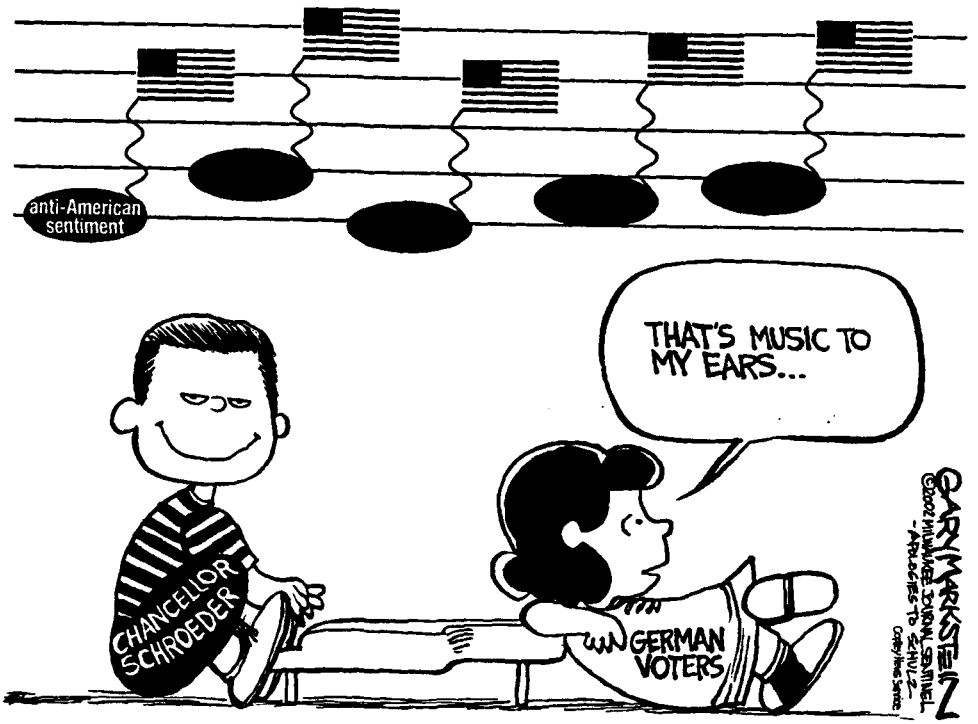


"Where do you see yourself in five minutes?"



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BOOKS, ARTS & MANNERS

Our Chavez (Not Cesar)

JAY NORDLINGER

An Unlikely Conservative: The Transformation of an Ex-Liberal (Or How I Became the Most Hated Hispanic in America), by Linda Chavez (Basic, 262 pp., $26)

THE high point of Linda Chavez's career came when George W. Bush asked her to be labor secretary; the low point came when she was forced to withdraw. Did something good come out of this rotten experience? Yes, this memoir, this autobiography, that Chavez has now written. It is a brilliant, provocative, and moving book, a blend of the personal—often very personal—and the political. Chavez has led a rich, remarkable life; she has thought about it well; and she expresses what she has concluded from it beautifully.

So, what happened, in that nomination mess? A refresher: Chavez had "harbored an illegal alien" and failed to tell the Bush transition team about it in a timely fashion. *Harbored an illegal alien*: That was the absurd phrase used about Chavez, as though she had committed a low-down act. What she had done was take into her home a helpless, battered Guatemalan refugee named Marta—giving her money, helping her find work, helping her learn English, and so on. She had done this—and would do this—for many helpless people, mainly immigrants. Chavez, all her life, has been a do-gooder: a real do-gooder, not the kind that merely advocates a government program.

Chavez remarks—somewhat bitterly but truly—that Christine Todd Whitman, Bush's choice for EPA administrator, went through unscathed, despite the fact that she had hired two illegal aliens in the 1990s and paid no taxes on them.

Linda Chavez by Roman Genn

Whitman got a pass because she was a Great Republican Moderate; Chavez, though, in a career of laying it on the line, had accumulated many, many enemies, who resented that a poor Mexican-American girl could rise through social-democratic, civil-rights, and union ranks to become an extraordinarily effective Reagan conservative. She was no bloodless, innocuous Republican from horse country.

Chavez writes that, once she lost the cabinet job in a cloud of ignominy, her reputation was "shattered." Only among those, surely, whose respect is not worth having to begin with.

Linda Chavez is one of the Most Valuable Players of the American Right. But what a curious word to use: "Right." That she is considered a right-winger points to the bizarreness of contemporary American politics: She is an old-fashioned liberal who believes in equal opportunity, equal justice, and bright American idealism. She is particularly effective against the Left, including the radicalized Democratic party, because she has lived and worked among them. She knows their arguments, she knows their tactics, and she is gloriously unafraid of them. Chavez has much in common with Thomas Sowell, Peter Collier, David Horowitz, and Ward Connerly—more MVPs.

She was born into a chaos of a family in Albuquerque, N.M. Her mother was a "blue-eyed natural blonde with skin the color of alabaster"; her father was a handsome, semi-itinerant, and unfortunately alcoholic Mexican-American. Young Linda had several half-siblings, and an assortment of aunts, uncles, grandparents, and others. She writes, "My family seemed a strange hybrid of partial connections and incomplete bonds, with children sent away on a whim." Death was all around, too, including young death: Linda lost a brother and a sister early. This was a hardscrabble, unsettling existence in the hot West.

In time, the family moved to Denver, and there Linda had her first taste of discrimination: A neighbor boy informed her that his mother had said, "I'm not supposed to play with Mes'cans." Later on, a boy failed to ask her to the prom because his father would not permit such mixed dating ("an odd prejudice for an Italian, especially one whose skin was much darker than mine"). But Linda never thought of herself as "ethnic," and her father would "bristle" upon hearing the word "Chicano." "Hispanic" was similarly ludicrous. One day, a teacher asked Linda, "What nationality are you?" When she told her mother about this, she said, "I hope you said 'American.'" She had.

In high school, Chavez joined Student CORE (the Congress of Racial Equality) and marched in civil-rights protests. She was interested in real civil rights—that is, true equality and justice, not the baloney that would later come in the guise of civil rights, such as affirmative action and "comparable worth." Although bookish and curious, she did not plan to go to college, but thought she might make a respectable living in a department store. She quickly landed a job as a model, having won a competition.

But then she met the young man who

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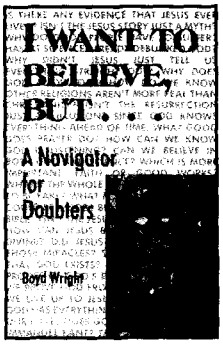

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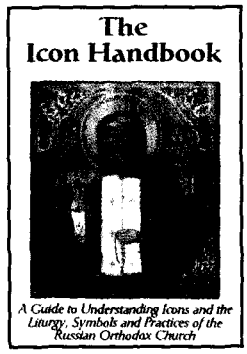

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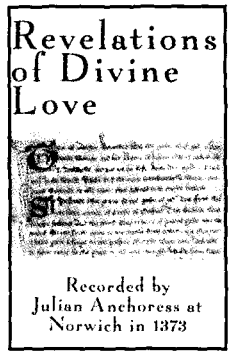

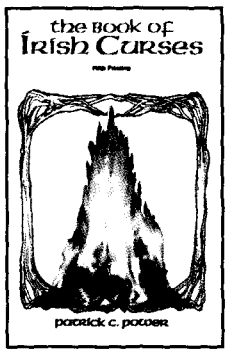

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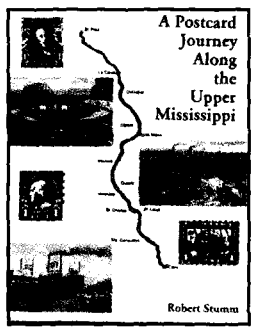

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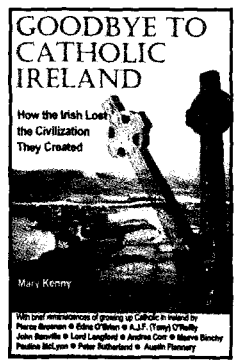

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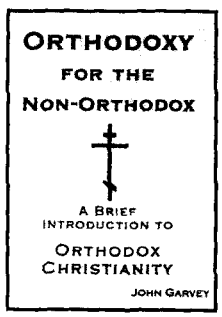

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would become her husband, Chris Gersten. This seems an extraordinary love story, which is told throughout the book. On their first date, he informed her that he was "an atheist and a socialist." Writes Chavez, "I'm not sure which identification shocked me more." Chris encouraged her to go to college, and the two of them went together—to the University of Colorado, in Boulder. They were a happy, energetic pair of Yipsels, which is to say, devotees of the Young People's Socialist League. Linda, like many of the Yipsels, was never a true radical, however: She never despised America, she was appalled at Black Power and Brown Power (the "Hispanic" version), and she had little use for the anti-war movement. "I had grown up with tremendous respect for the military," she writes. "I believed that our soldiers fighting in Vietnam were heroes. The protesters, on the other hand, seemed dirty, disrespectful, and unpatriotic."

In these pages, the '60s and '70s come back, vividly: the drugs, the dress, the music, the ideology, the conformity, the intimidation—all of it. Chavez was an earnest social democrat perpetually trying to do good, to lift up those who were struggling: yet, in her various organizations and institutions, she was always shoved out, or bullied, by the extremists. In college and graduate school, she saw firsthand the degrading effects of affirmative action and "ethnic studies," with its ghettoization. And then there was the violence: always the violence. This book, rather shockingly, is filled with violence, as the author makes her way through academia and politics: a dead cat on her doorstep; a knife flicked in her face; excrement dumped in her car; death threats over her phone; objects—including coconuts (brown on the outside, white on the inside)—thrown at her; hate-twisted mobs baying for her blood. It is useful to be reminded, now and then, that the Left was not only wrong, but dangerous. And I say "was" to be polite.

In 1971, Chavez moved to Washington, D.C., where she began a rapid and inevitable ascent. She seems to have held every job imaginable. Often, she was given these jobs because she was a "Hispanic" and a woman—a "two-fer," as she says. It did her no harm that she was beautiful, too. But she was also fearsomely competent. She worked for the Democratic National Committee, the House Judiciary Committee, the Department of HEW (remember that?), the National Education Association—everywhere. Eventually, she ended up at Al Shanker's American Federation of Teachers, where she edited a journal called *American Educator*. Under her direction, it became a "neocon" outlet, publishing Bill Bennett, Jeane Kirkpatrick, Bob Bork, and others. In her telling, her views did not change dramatically: She was always a foe of discrimination, insistent on color-blindness. Only this had become a "right-wing" position.

It is true, however, that she left any socialism far behind: In reading Adam Smith, she found the thinker she describes as her "soul mate." (Her husband, Chris, became a free-marketeer too.)

By the early 1980s, she was able to cross all the way over into the Reagan administration. Chavez served as staff director of the U.S. Civil Rights Commission, where she swam with Mary Frances Berry and other barracudas. Then she went into Donald Regan's White House (as it seemed to be, for a while)—there were a few barracudas there, too. In 1986, she even ran for office, losing a Maryland Senate seat to Barbara Mikulski, who, absurdly, was able to portray her as some kind of aristocrat.

At every stage, this book engages. The personal and the political constantly intersect. At times, it seems like a cross between Maya Angelou and *The Public Interest* (and, by the way, when I mention Angelou, it is not in the least disparagingly—she is a master of autobiography). Chavez has a good eye, and memory, for the interesting detail. She knows the folkways of Washington cold. At her disposal is a wealth of first-rate anecdotes: about Reagan, about W., about Maureen Reagan, about Clarence Thomas, about the notoriously lady-lovin' Strom Thurmond ("'You're not all that dark,' he said, putting his hand next to mine for comparison. I could just see the wheels turning . . .").

She can write tartly and somewhat vindictively—this is not a cuddly puppy, Linda Chavez—and she can write elegantly, poetically. Hers is an exceptionally frank book, and it is often raw and gritty. Even a reader who objected to its politics would be absorbed by it as autobiography.

No doubt, Chavez would have made an excellent—even exciting—secretary of labor. But it is better to have this book, which rose from the ashes of that failure. After she was named, she endured an experience that was, as she says—echoing Clarence Thomas, in fact—something out of Kafka. Her regard for President Bush is high, but this truth remains: He never called her, when she was at her lowest. He apparently thought himself victimized by her. At exactly this time, however—Chavez does not mention this—he placed a call to his implacable and odious enemy, Jesse Jackson, who was receiving some rare bad press for a "love child." It was not W.'s finest hour: the non-call in contrast with the call that was made.

But who, among the Bushies, was particularly stand-up when it came to Chavez and her straits? No surprise: Donald Rumsfeld.

Chavez entitles her book "An Unlikely Conservative." But she is smart, principled, clear-eyed, patriotic, compassionate, capable of learning from experience, and very, very brave: not an unlikely conservative at all. Thank goodness the Left is so awful. It has driven so many of the best people to our side. **NR**

THE PANTHER
Jardin des Plantes, Paris

His gaze has been so worn by the procession
Of bars that it no longer makes a bond.
Around, a thousand bars seem to be flashing,
And in their flashing show no world beyond.

The lissom steps which round out and re-enter
That tightest circuit of their turning drill
Are like a dance of strength about a center
Wherein there stands benumbed a mighty will.

Only from time to time the pupil's shutter
Will draw apart: an image enters then,
To travel through the tautened body's utter
Stillness—and in the heart to end.

—RAINER MARIA RILKE
translated by Walter Arndt

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Man and Monument

TRACY LEE SIMMONS

Cicero: The Life and Times of Rome's Greatest Politician, by Anthony Everitt (Random House, 359 pp., $25.95)

MARCUS TULLIUS CICERO belongs near the top of the long and lengthening list of writers and statesmen more quoted than read, more revered than pondered. This great republican of Rome, the exemplar of civic virtue and prudent statesmanship, comes to us today wrapped in a mute magnificence. His name rings bells, but rarely are his works mined for the wealth of practical wisdom and elegant style for which untold generations have known him, and in pursuit of which they turned to him with habitual confidence. He's a stained white statue to most of us, nothing more. *O tempora, O mores!*

How to explain the new ignorance? Not so long ago Cicero's stature in the public mind was high and firm, his academic presence constant—perhaps a little too relentlessly constant, armies of high-school Latin students might well have moaned. Challenged or disgruntled students knew they had reached the apex of Latin prose when, Caesar's *Gallic Wars* behind them, they were assigned Cicero's famous orations against Catiline, with their haughtiness, dense vocabulary, and elongated sentences. This was Latin for grown-ups.

Cicero came late enough in the curriculum that by the time students got to him, they could smell the printing ink on their diplomas. "Soon as they've passed their last examinations in solid geometry and Cicero's Orations," Thornton Wilder has the Stage Manager tell us in *Our Town*, "looks like [young people] suddenly feel themselves fit to be married." And for the rest of their lives, his works provided to them proof positive of Cicero's own assurance that we remember our sufferings much more intensely than our pleasures. It is perhaps no surprise that our acquaintance with him should lapse.

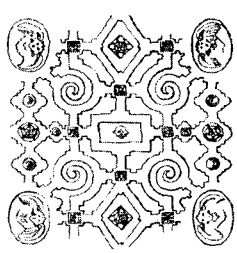
Anthony Everitt now steps forth to make reintroductions. A British businessman, journalist, and professor—and also sometime general secretary of the Arts Council for Great Britain—Everitt is the ideal man to do this. He has a passion for all things Roman. (He lives near the first town history has recorded on English soil—Colchester—and is already working on a new biography of Augustus.)

■

Cicero's statue can take a little chipping and still stand straight.

■

What Everitt shows us in this biography, without the tedium of purposeless, over-researched digression, is that history will always have the last word. Idealized depictions of the past will fade and a more accurate picture emerge. The Roman Republic was a noble experiment—however imperfect—in broader popular rule. But we know what that means: Politics, the practice of finagling results, became serious business. A man of privilege, Cicero was no democrat, yet he abhorred tyranny. He knew when to compromise (too often, according to his critics). When acting the role of the able statesman, he built his fearsome effectiveness from cunning and guile as much as the next guy did; he was just better at it. As the skillful advocate, he could make the weaker case appear the stronger; as a politician, he forged unlikely alliances of expediency to get what he wanted. He targeted Mark Antony and was implicated in a spirited campaign of obfuscation and smear of a kind that would make the U.S. Congress look no more threatening than *Romper Room*. He even stared down Julius Caesar himself. Of course all these shenanigans would seal his own fate one day.



Everitt's book is principally about Cicero the politician, the man of action and deal-broker, and it's a riveting story. It reads the way the ambitious "Washington novel" of political intrigue, written by the amateur weekend novelist, should but seldom does. Everitt masterfully interlaces the disparate strands of detail from Roman history and culture—and especially Cicero's copious correspondence—to paint a portrait of a man caught up in tumultuous, indeed politically apocalyptic, times. Everitt doesn't temporize. He shows Cicero as he was according to all creditable evidence, not the marble bust. Nonetheless, Cicero's statue can take a little chipping and still stand straight.

Within these pages we are also reintroduced, if briefly, to the man whom some remote generations knew better through their education than Cicero the Orator: Cicero the Philosopher, the author of *On Duties* and the *Conversations at Tusculum*, who brought together many of the best strains of the philosophical traditions handed down to his day and made them his own, as well as Cicero the Writer, the tireless author of the rich *Letters to Atticus*, who perfected a high literary style that influenced spoken and written prose in all Western languages for centuries. "For posterity," Quintilian would one day write, "the name of Cicero has come to be regarded as the name of eloquence itself." This man was also the believer in balanced constitutions whom the American Founders knew best and admired most, and this fact alone should commend him to us now. It was about him that John Adams wrote that "all ages of the world have not produced a greater statesman and philosopher combined." This is praise not wisely dismissed.

And it is in fact this Cicero, the contemplative man, whose survival in our lives would do us the most good. Here is my only, albeit minor, regret about this fine book: Everitt, in telling the exciting tale of the man who fought in the political arena, sacrifices too much of the

Mr. Simmons is director of the Dow Journalism Program at Hillsdale College. He is the author of *Climbing Parnassus: A New Apologia for Greek and Latin*.

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other side of his subject—the Cicero who knew those things that the arena cannot provide or be. Politics, in the end, cannot save us—and political maneuvering certainly couldn't save Cicero himself. Nonetheless, the state of education being what it is now, it would be churlish for any of us to dwell on what the book isn't at the expense of what it is. This book is a tour de force of historical and biographical reconstruction that reads like a novel; it's to be welcomed—and read.

The Roman historian Livy, Everitt reminds us, had perhaps the best take on Cicero's legacy. Great and good men are complex, their lives often a tortuous series of contradictions, their records mixed. "During the long flow of success," Livy wrote, "[Cicero] met grave setbacks from time to time—exile, the collapse of his party, his daughter's death and his own tragic and bitter end. . . . However, weighing his virtues against his faults, he was a great and memorable man." Indeed, so great that "one would need a Cicero to sing his praises." **NR**

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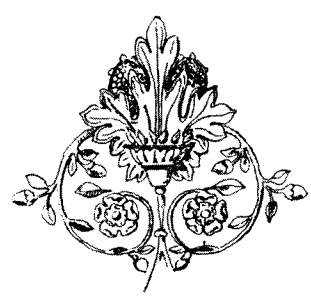
A Federal Case

RICHARD A. EPSTEIN

Narrowing the Nation's Power: The Supreme Court Sides with the States, by John T. Noonan Jr. (California, 212 pp., $24.95)

JUDGE NOONAN—a distinguished member of the Federal Court of Appeals for the Ninth Circuit and a professor emeritus of law at Boalt Hall—is on the warpath. His mission is to discredit the Supreme Court's recent decisions in support of federalism and states' rights. Noonan's attack is driven by the deep moral conviction that the Supreme Court has placed technical legal abstractions in the path of the intelligent progressive reforms of the modern welfare state. He thinks that Congress should protect religious freedom against state regulation; that age- and disability-discrimination laws should protect all state and private workers; and that federal power should halt violence against women when state governments fall down on the job.



Noonan does not bother to defend any of his substantive positions; nor shall I critique them here. In all cases, his ulterior motive is to show how novel Supreme Court decisions have frustrated the realization of his self-evident social agenda. As he sees the world, religious liberties are endangered owing to a narrow interpretation of Congress's power to enforce "by appropriate legislation" the religious freedom that the Fourteenth Amendment protects against state governments. The misguided use of sovereign immunity prevents Congress from allowing state workers to sue states under antidiscrimination laws; and artificial limitations on Congress's power to regulate interstate commerce frustrate the effective enforcement of the criminal law.

In dealing with these constitutional issues, Noonan wisely refuses to rely on the now-standard—indeed stale—charges of judicial activism. But his analysis of the authorities is wholly one-sided and historically flawed. Let's review them from the top.

On religious freedom, Noonan's Exhibit A is *City of Boerne* v. *Flores*, which in 1997 struck down the Religious Freedom Restoration Act of 1993. RFRA was passed by a strong Left-Right coalition justly incensed by the 1990 Supreme Court decision in *Employment Division* v. *Smith*, which had held that the state needed no special justification to enforce neutral criminal laws against religious believers (the *Smith* case involved a prohibition against the religious use of peyote). *Boerne* raised the question of whether a religious organization that wanted to build onto its church could escape the strictures of the state landmark-preservation statute. RFRA stipulated that the states had to show a compelling state interest to override the church's choice. Clearly, Noonan cannot sound the clarion call for legislative supremacy, for then he would have to acquiesce in *Smith*; but he objects to *Boerne* nonetheless, on the grounds that the Court arbitrarily displaced Congress's power to "enforce, by appropriate legislation," the commands of the Fourteenth Amendment.

On the narrow question in *Boerne*, however, the Supreme Court had the better of the argument. Congress may choose new remedies to enforce the law against admitted violations of the Fourteenth Amendment, but so long as judicial review remains proper under *Marbury* v. *Madison*, Congress cannot expand the reach of that amendment by conjuring up new kinds of violations. Unlike the southern resistance in the 1960s that prompted civil rights legislation, RFRA did not respond to any pervasive state violation of the constitutional protections recognized

Mr. Epstein is a professor of law at the University of Chicago and a senior fellow at the Hoover Institution.

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under *Smith*. The 1993 legislation did not remedy any constitutional wrongs; it only expanded the scope of the free exercise of religion. Noonan would have been on strong ground if he had openly urged the Supreme Court to overrule *Smith*. But if *Smith* is right on the free-exercise issue, then *Boerne* is right on federalism.

Noonan does no better on the question of the vexed doctrine of sovereign immunity, which provides that no ordinary person can sue a state for damages without that state's consent. I share Noonan's distaste for the doctrine. Noonan correctly points out that the principle of sovereign immunity is nowhere articulated in the original Constitution, whose explicit language grants the federal courts jurisdiction over disputes between individuals and

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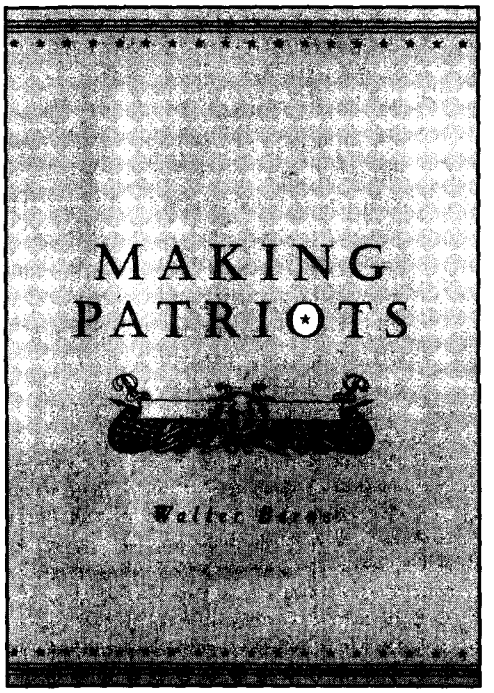
Noonan condemns a number of recent Supreme Court decisions.

■

states. In the 1793 decision of *Chisholm* v. *Georgia*, the Supreme Court read this jurisdictional provision to allow a South Carolina citizen to sue Georgia in federal court for debts owed on a contract of sale. The resulting furor sparked in 1798 the passage of the Eleventh Amendment, which provides that "the Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State." Self-evidently, these words do not block a federal suit by a citizen against *his own* state.

In Noonan's view, this brief analysis richly condemns such recent Supreme Court decisions as *Maine* v. *Alden*, which barred citizens from suing their state employers under the Fair Labor Standards Act, and *Kimel* v. *Florida Board of Regents*, which reached the same conclusion on age discrimination. But here, too, Noonan comes out second-best. First, as he acknowledges, *Alden* and *Kimel* are not recent innovations. Their comprehensive view of sovereign immunity had been explicitly articulated in 1890 when the Supreme Court, in *Hans* v.



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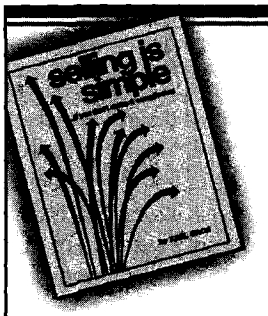

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Louisiana, protected Louisiana from a suit in federal court when it reneged on its bond payments. Nor was *Hans* weakly argued: Every state in the Union accepted sovereign immunity in 1789, so that no citizen could sue his own state in its courts without its consent. The Eleventh Amendment did not invent sovereign immunity; it just corrected the Supreme Court for ignoring it in *Chisholm*, as the word "construed" suggests. As *Hans* argued, the amendment is only intelligible against the background presumption of state sovereign immunity against private damage suits.

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The erroneous interpretation of the Commerce Clause paved the way for federal overreaching.

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This position is buttressed by powerful historical support, from such luminaries as John Marshall and Alexander Hamilton. The latter concluded in *Federalist* Number 81 that "to ascribe to the federal courts, by mere implication, and in destruction of a preexisting right of the State governments, a power which would involve such a consequence [the rejection of sovereign immunity] would be altogether forced and unwarrantable." Hamilton recognized that sovereign immunity within a national union made no sense for suits between states, or suits between the United States and an individual state. He could not have imagined how the passage of the Bill of Rights—in particular the takings clause—or the Fourteenth Amendment might alter this balance. The issue here is extremely complicated, and Noonan is perhaps right that sovereign immunity does not insulate the states from damage actions in federal court under, say, the federal copyright law; but he does not come anywhere near proving that the Court's invocation of sovereign immunity usurped Congress's legislative power.

Finally, we have Noonan's insistence that Congress's power "to regulate Commerce . . . among the several States" allowed it to enact the Violence Against Women Act, which imposed criminal sanctions and created private rights of action for ordinary state offenses of rape and murder. John Marshall's great 1824 decision in *Gibbons* v. *Ogden* held that "commerce" covered both navigation and trade among the several states, but it explicitly denied that Congress had, for example, the power to enact quarantine laws before or after the journey. His distinction between manufacture and trade was respected by the Supreme Court until 1937 when the Court, bowing to New Deal pressures, ran roughshod over the doctrine of enumerated powers by allowing the federal government to regulate all local activities because of their indirect nationwide economic effects. The new (and erroneous) interpretation of the Commerce Clause paved the way for the federal regulation of manufacturing unions and agriculture. Yet when—in the 2000 *United States* v. *Morrison* decision—the Supreme Court struck down portions of the Violence Against Women Act, it refused to cut back on these other, dubious extensions of the commerce power; it confined its ruling to isolated criminal actions.

Noonan offers no explanation of why this slight retrenchment of the Commerce Clause is inconsistent with the federal design, or how it frustrates law enforcement. He never explains why it is that if Congress can regulate rape, it cannot displace the states in the regulation of marriage and divorce, or indeed anything else. His only lament is that *if* the *Morrison* plaintiff's hotly contested allegations of gang rape were true, *then* Congress should not have been rendered helpless to fill a gap in the state law. But he never pauses to ask why Virginia refused to prosecute criminally, nor why the plaintiff refused to bring an ordinary tort action in state court.

Noonan is, of course, entitled to side with the four liberal dissenters in *Morrison*, just as the *New York Times* is free to celebrate this slim and unpersuasive volume as the decisive exposé of a hypocritical conservative majority on the Supreme Court. But the truth is otherwise: The Supreme Court's federalism rulings give much to argue about, but little to denounce. Noonan simply lacks the historical or intellectual ammunition to wage his three-front war to a successful conclusion. **NR**

Standard Deviance

CAROL IANNONE

The Politics of Deviance, by Anne Hendershott (Encounter, 194 pp., $26.95)

A PLAY about a man in love with a goat wins the Tony award. A prime-time TV game show features a totally naked woman throwing a little football at a large screen. A mainline Protestant church encourages homeless people to live in cardboard boxes on its steps. College students consume and create pornography for credit.

Such is little more than an average week's news in the blandly decadent America of the 21st century, and, as each new wave of bizarreness unfurls, practically the only condemnation we hear is against those who dare to be offended. Thus Anne Hendershott's astute and useful new book, which places the current mess in historical context, is welcome and indeed long overdue.

Hendershott—a professor of sociology at the University of San Diego—explains how the act of defining deviant behavior was once seen as a staple of sociological study, and also an ordinary and necessary aspect of a sound society. Sociology itself arose as a discipline, she writes, "out of a sense that individualistic philosophies placed too little emphasis on the moral ties that link people" together, and out of an understanding that "societies require moral definition" by which "some behaviors and attitudes must be identified as more salutary than others." Hard to believe, but sociology was once in conformity with the traditional belief that human beings "are creatures with unlimited desires, which need to be held in check."

But with the rise of the "radical egalitarianism of the 1960s," and the "growing reluctance to judge the behavior of

Carol Iannone writes on literature and culture for a variety of publications.

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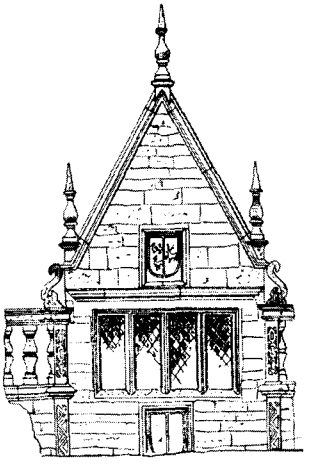
others," all discussion of deviance became "obsolete." Indeed, Hendershott observes, "merely to label a behavior as deviant came to be viewed as rejecting the equality—perhaps the very humanity—of those engaging in it." Social scientists convinced themselves that the sociology of deviance was actually the "construction of deviance," i.e., "the imposition of selective censure by the dominant elements of society."

Such books as Ken Kesey's 1962 novel, *One Flew Over the Cuckoo's Nest*, and the more academic work of C. Wright Mills and Howard Becker, author of *Outsiders* (1963), became part of a movement that switched the focus of attention from deviant behavior to social, even cosmic, injustice. The necessary function of defining unacceptable conduct was called "blaming the victim"—the title of a 1976 bestseller by William Ryan. All kinds of previously sanctioned behaviors were seen as—to quote Hendershott—"rational adaptations to an increasingly oppressive society." As she describes the now familiar pattern, the "homeless were defined as victims of an unfair housing market," while criminals "were redefined as victims of an unfair economy that effectively locked them out of legitimate opportunities."



This has consequences. Calling a behavior deviant can help lead to some specific solution; denying the very reality of deviance precludes any remedy. The older approach respected the humanity of a troubled individual even as it addressed his dysfunctional behavior; under the new dispensation, the individual becomes a victim, his problem an open-ended claim of entitlement and the very source of his identity.

Hendershott shows how personal difficulties such as drug abuse and mental illness were "deproblematized"—or, rather, were made everyone's problems—through a combination of legal actions (such as the deinstitutionalization of the mentally ill and the passage of the Americans with Disabilities Act), special-interest activism, and the ascendancy of armies of "experts" who professionalized the new society-blaming notions.

Unsurprisingly, all this has contributed to the metastasis of deviancy in American life since the 1960s, including vast increases in crime, illegitimacy, homelessness, and substance abuse, as well as in the dysfunctional, disordered, or simply undisciplined behaviors now categorized as mental illnesses. The rest of us, instead of resisting this mounting chaos, resisted our own inclination to be bothered by "other people's business," teaching ourselves to be "tolerant" and "not to judge." By the time Daniel Patrick Moynihan summed up the disaster in his famous phrase, "defining deviancy down," we were casually and daily countenancing things that would have driven our ancestors to take out the pitchforks.

Meanwhile, in compensation for the loss of the normal activity of making judgments, there has arisen the phenomenon that Hendershott and others call "moral panics"—gross overreactions to perceived transgressions, such as the child-sex-abuse scandals of recent years that landed innocent people in prison in a modern replay of the Salem witch trials. Hendershott rightly sees these as hysterical responses to a world without proper guideposts.

Hendershott concludes that we must "draw from nature, reason, and common sense to define what is deviant and reaffirm the moral ties that bind us together." To which one can only say, amen, but then again, how? Can we have morality without a lively belief in God and transcendent truth, something higher than man to which man is bound, something that orders how human beings should act in this world? Without a belief in the transcendent and its embodiment in custom and tradition, such guides as consensus, common sense, and even nature and reason will prove an insufficient basis of social order, being themselves prone to the "unlimited desires" that, as sociologists once understood, must be held in check.

After all, the classical sociologists

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Hendershott approvingly cites could conceptualize deviance because the society they studied accepted the validity of the old moral codes. Our society does not, so sociologists and other elites have nothing to go by but the latest consensus of man-made values. (Remember the gleefully nihilistic "Everybody does it" from the Clinton years?)

Conservatives as well as liberals have subscribed to what can be called the normalization of deviance. A few years ago a friend of mine had dinner with several conservative Episcopalians, higher-ups at a traditionalist Anglo-Catholic parish that preserves an all-male priesthood, and was shocked to hear them stoutly defend unisex bathrooms in college dorms. Somehow one doubts that decades ago these solid citizens sat in church mulling over the necessity for a young female college student to step out of the shower and find a strange young man standing at the toilet. Yet despite their liturgical traditionalism, they had obviously imbibed from the larger society the prevailing egalitarianism that finds sexual differentiation unacceptable.

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Conservatives as well as liberals have subscribed to what can be called the normalization of deviance.

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Nor are political conservatives steady in these matters. Hendershott closes her book by quoting David Brooks's assertion that in the wake of September 11 we must "construct hard principles" of moral consensus. But Brooks's own pre–9/11 book, *Bobos in Paradise*, is agnostic when not actually celebratory of the "bourgeois bohemianism" he delineates, finding no problem with sado-masochism clubs, for example, so long as the participants practice "safe sex" and exhibit bourgeois virtues in other areas of life, such as working at a job and taking care of their families. Brooks finds the bobo "morality" sufficient to maintain a decent society, if not to attain heaven. But what if the two can't be separated—what if aiming for heaven is the only way to produce a decent society on earth? **NR**

That Was No Lady

JONAH GOLDBERG

No Way to Treat a First Lady, by Christopher Buckley (Random House, 320 pp., $24.95)

BACK in the early days of the Clinton administration, Barbra Streisand became known as a C-SPAN junkie, immersed in the nitty-gritty of public policy. She had the ear of the president and that ear needed to be filled—with her insights. According to the *Wall Street Journal*, Streisand also "holed up in her Manhattan apartment with a stack of books about Thomas Jefferson"; she was tackling politics with the zeal of a mid-life divorcée going back to college. When Streisand, who'd stayed in the Lincoln Bedroom very early in Clinton's first term, learned that another—more natural—blonde had stayed at the White House, she reportedly erupted with incredulity, "What does Sharon Stone know about policy?!"

This little episode is a useful reminder about Clintonism. Most sleazy politicians suffer from a tipping-point dynamic: Each successive scandal piles on the previous one until the combined weight tips him over like a man trying to carry one too many bricks. The brilliance and the horror of Bill Clinton was that each successive chapter of sleaze eclipsed the previous one. Like a Russian matryoshka doll, Clinton concealed muck by hiding it behind a larger pile of muck. The Lewinsky scandal and, finally, the pardons-for-sale scandal blocked from view our collective memories of the earliest manifestations of not merely the metaphysical tackiness of the Man from Hope but the moral hall of mirrors that was the entire decade—from the O. J. Simpson and Menendez trials to a Wall Street gold rush that made the alleged excess of the 1980s seem sober by comparison.

A side effect of this upward-moving shame spiral was that each episode served as a more powerful inoculation against the absurdity of it all, which is why *Primary Colors* was the last successful satire of the Clinton administration and why the Lewinsky affair has produced not one movie or novel that has remotely captured its incredible buffoonery.

Until now, that is. Christopher Buckley, the author of, among other triumphs, *Thank You for Smoking*, has produced the first successful satire of a decade many feared to be too outlandish to be effectively mocked. *No Way to Treat a First Lady* presents America's patchwork of fin-de-siècle arrogance, vanity, and piety in the form of an often hilarious and always fast-moving thriller.

Buckley wisely avoids sticking too closely to the real-life script. Remember when Hillary Clinton reportedly hurled a lamp at her husband? Some versions say it was an ashtray—as if it couldn't have been both. It was one of those small incidents that told America that the Clinton presidency was going to be like school on Saturday: no class. Immediately after the story broke, Mrs. Clinton publicly fulminated with accusations about a Secret Service conspiracy to undermine the historic mission of the Clinton administration.

Buckley creates a similar episode, involving President Ken MacMann and his wife, Elizabeth, and imagines the commander in chief being slain in the line of infidelity with a silver spittoon made by no less than Paul Revere himself. The First Lady is charged with murdering, i.e. assassinating, the Leader of the Free World—and the entire television-watching population of the planet is suddenly transfixed by the "Trial of the Millennium."

Like a *Twilight Zone* episode in which the parallel universe puts mustaches and glasses on familiar faces, *No Way to Treat a First Lady* features many recognizable characters from the carnival stalls of talk TV. For example, Alan Dershowitz is not merely recognizable, he's even given a more apposite name: Alan Crudman. Crudman has the characteristics essential to any fair por-

Mr. Goldberg is the editor of National Review Online.

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trayal of the famed defense attorney: equal and complementary proportions of shameless asininity and astounding cleverness. When Crudman is censured by the judge he cries anti-Semitism, despite the fact that the judge himself is Jewish. When Crudman is removed from the courtroom for just being all he can be, he immediately declares before the cameras that he now knows what it was like to be "a Jew in Hitler's Germany."

■

This is the first successful satire of a decade many feared to be too outlandish to be effectively mocked.

■

Greta Van Botox, host of *Objection*, is also pretty obvious; but some characters are less blatantly recognizable. The First Lady herself is a bit of a surprise. Beth MacMann ("Lady BethMac," according to the tabloids) is obviously the Hillary of the tale—even though Buckley explicitly tells us that she is "a far cry from Hillary Clinton, who contented herself with taking care of her husband and giving the occasional tea to congressional wives." (This line, like a few others, conjures the image of Buckley and his libel lawyers playing tug of war with a typewriter.) Lady BethMac is a self-absorbed careerist, to be sure, but Buckley has made the calculation that a fictional First Lady as unsympathetic as the real knickknack thrower would make the book unreadable—or implausible. In this novel, not only is the First Lady a real looker, she is the heroine of the tale.

Boyce "Shameless" Baylor, her fellow protagonist, as well as her lawyer and ex-fiancé from 25 years ago, seems to be a mixture of Baltimore Orioles owner Peter Angelos, Edward Bennett Williams, and William Kunstler. "Shameless" earned his nickname early in his career, we are told, when he "persuaded a jury that his client, the Cap'n Bob Fast Fish Restaurant chain, was unaware that its popular Neptune Burgers were made from black market Japanese whale meat."

The First Lady and Baylor went to law school together and were engaged to be married until Beth met Ken MacMann, a war hero who seems equal parts Bill Clinton, John F. Kennedy, and John McCain. Indeed, President MacMann remains little more than a rutting plot point, a reason to have the First Lady on trial. And that's a bit of a shame: Buckley is so adept at crafting enjoyable and revealing characters that to make the president more of a motive for others than a fully drawn character is to leave too much poison ink in the author's pen.

But one character—my favorite—provides the author with an opportunity to vent toxins in abundance: Babette Van Anka. The acclaimed screen star is a dead ringer for Streisand, albeit in Sharon Stone's body and with Monica Lewinsky's morality. Ms. Van Anka ("so bad you wanna spanka," say the tabs), whose stardom was sealed with her hit film, *Fabulous, Fabulous Me*, is convinced that her sexual liaisons with President MacMann are entirely incidental to her vital policy advice on Middle East peace and the environment. It is her twelfth tryst with the president—in the Lincoln Bedroom—that precipitates the spittoon incident. During the ensuing media frenzy, the Van Ankas—Babs is married to a shady financier in this tale, not to the "actor" James Brolin—enlist the aid of Nick Naylor, hero of *Thank You for Smoking*, who struggles mightily to explain to her that if she gives an interview to Barbara Walters or Diane Sawyer they won't ask her about the Middle East or the Kyoto Protocol. This is a conversation one can only wish someone had had with the real Streisand a long time ago.

Buckley's villains—perhaps victims is a better word—are identifiable primarily by the degree to which they are blind to their own foibles. This makes it more difficult to hate them, but a lot easier to laugh at them. And laughter, ultimately, is a far greater punishment for the guilty and a much healthier attitude for the rest of us than the compliment of hatred. In this sense, Buckley's novel is not only a glorious comeuppance for the malefactors, it is also vital therapy for those of us recovering from that terrible decade. **NR**

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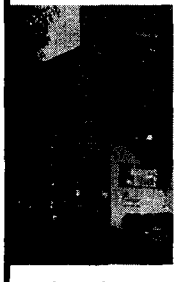

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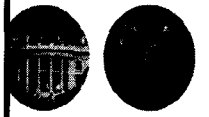

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■ CITY DESK ■

Tony Tigers

RICHARD BROOKHISER

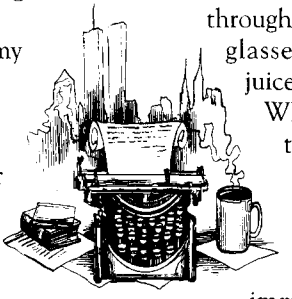
EVERY September, New York celebrates the fashion industry with Fashion Week, but the other 51 weeks are fashion weeks too. New York has the four elements necessary to harbor both a fashion industry and a fashion-attentive culture.

The first is exposure. There are eccentric New Yorkers who hole up in their apartments, sustained by a placenta of old newspapers and dirt. But normally eccentric New Yorkers must be out and about many times a day, simply to live. You are on view, and viewing others, on the subway to work, mailing a package, or picking up at one o'clock in the morning the carton of orange juice that you need for breakfast but forgot to get on the way home. In all these exposed activities, you'd better look decent. Lacking this short-range mobility, the suburbs follow fashion, never lead it.

The second element is money, for threads cost money, and threading them costs even more. New York's prosperity trickles down to all levels of society, above those who live in boxes. The relatively poor are intensely concerned with fashion, and often bequeath their whims and obsessions to the rest of us. After one epochal rise of hemlines, I read in the papers that the designers had taken their cue from the short denim skirts of Puerto Rican schoolgirls. Those sturdy young hams led a revolution.

Third on the list is lack of muck. A fashion center must be paved; when it rains, the water must vanish down drains. If you're a weekend gardener, a Christmas-tree farmer, a builder of decks, or a bow hunter, you cannot think too much about the clothes that will inevitably become soiled. Designers will think about you, and plunder elements of your lifestyle for their lines and their photo-shoots. Some designers have taken to pre-fading and even pre-ripping their clothes, to make them more evocative of the salt of the earth. But the dirt of the earth and fashion cannot coexist.

Last, and most important, is the snowball effect, so necessary to any creative community. George Balanchine famously said, build it and they (meaning, the proper audience) will come. That is the credo of the genius. But for a community of effort, the reverse is true: First they come, then they build. Once someone makes a foothold for a calling like fashion, then kindred souls flock from the hinterlands like swallows to be near the pioneer, and each other. The late Bill Blass was born in Indiana, but he did not stay there. The nesting instinct exerts its pull across generations.



One of the few designers my wife likes is Eskandar, a young Anglo-Iranian. He opened an enlarged boutique at Bergdorf Goodman after Fashion Week, and we went.

My sensitivity to women's fashion is as limited as a mole rat's to light. Whenever I go to Bergdorf's I can understand little more than the accessories on the first floor: jewelry—alligators and toads in cowboy boots, made of platinum—and purses—penguins, koalas, and frogs, made of crystals. What I like about Eskandar is the whiff of the Middle East; the simplicity (his palette is anchored in black, gray, white, and earth tones; I remember my astonishment when he branched out to blue); and his generosity to the bodies of actual women. To wear him you need not be six feet tall and hipless, like the poor beautiful waitress who once told me that her agent had ordered her to lose ten pounds. But such basic impressions can be recorded very quickly, so I had to turn my attention to the people and the refreshments.

The crowd was a visual one, non-verbal and non-political. Senator Torricelli was going down in flames; no one mentioned him. Christopher Hitchens had published a book on George Orwell; no one discussed them. The women had accepted the designer's invitation to be normal, and showed no signs of eating disorder or heroin addiction. The more obvious preeners were the young men (fresh from the hinterlands?). They wore clashing stripes and (when their heads were not shaven) vast amounts of hair gel, carefully recreating the look of geeks of their fathers' generation. The designer himself, who circulated in a simple cashmere sweater of his own design, looked normal and pleasant.

The food was copious and excellent: squares of unleavened bread, a cube of white cheese, whole cucumbers and radishes, a platter of tarragon and mint, another of nuts and dried cherries. The drink matched it. "My Clay," wrote Omar Khayyam, "with long Oblivion is gone dry: / But, fill me with the old familiar Juice, / Methinks I might recover by and by." No one was forgotten at Eskandar. Waiters pushed their way through the crowd with eight-inch glasses of vodka and cranberry juice, and flutes of champagne. When we had worked our way through snacks and drinks, the caviar appeared. We were plied with seconds, and sevenths. A Persian man explained, with the immemorial manners of the region, anxious to demonstrate that a guest is getting only the best, that all the finest caviar comes from the Iranian end of the Caspian Sea.

He also said something that did, when I thought about it later, have a news hook. 9/11 came up; we made the appropriate noises of New Yorkers. Then he said, of his new country: "No one scrutinizes you here."

It was a strange remark to make, at first blush, at a designer's opening, where art and commerce unite to ensure that the wares will be looked at with pleasure, both on the hangers, and on the backs of their purchasers. But of course he was talking about what deconstructionists call the gaze of power, which they imagine flashing everywhere. But, as we have learned by now, there are gazes and gazes, and in some countries the scrutiny of your taste, beliefs, or proclivities can land you in the slammer, or the grave. Some scrutinizers wish to import their strictures abroad. This country, and city, has more room for maneuver. It is our intellectual fashion. NR

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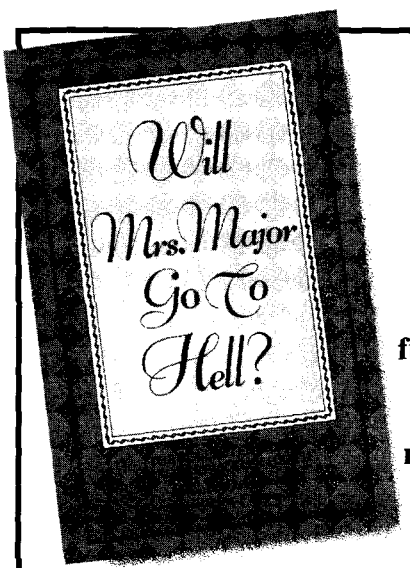

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WILLIAM F. BUCKLEY JR.

Socialist Vexations

NEW YORK, SEPTEMBER 24

DOMESTIC problems in Europe make the news, one problem quirky, the second raising dogmatic assumptions of economic law.

In London, as described by socialist novelist and critic John Mortimer, an astonishing number of Brits marched through the streets to protest impending laws that would forbid the sport of fox hunting. Mortimer has taken large steps in his colorful life to distance himself from high-life conventions of the rich, let alone rich and idle. It was unexpected (for an American bystander) to see him apparently bemoaning the proposed new law and wondering out loud whether its consequences might actually damage the unique British countryside that draws tourists from all over the world.

"There is no worse tyranny, wrote John Stuart Mill, than that of a majority. The test of democracy is not that the majority should always get its way but how far minorities are respected." Mortimer returns to his mordant mode by concluding, "Will fox hunting be saved? Our best hope is to get President Bush to put on a pink coat and chase a fox; no doubt Tony Blair would fall right in behind him."

In Sweden, the premier socialist state in Western Europe, nobody is worrying about fox hunting, since such a sport would have been abandoned years ago. The Swedes' genteel approaches to life, once life is born (unborn life receives no solicitude whatever), shrink from any pain, human or social. Irving Kristol famously encapsulated Swedish life when he wrote that in Sweden parents aren't allowed to spank their children, but the kids can fornicate on stage as long as they are being paid the minimum wage.

In 1998, the prime minister of Sweden increased the government benefit for sick people from 75 percent of pay to 80 percent—no matter how long the illness. Using pure free-market analysis, that puts something of a premium on paid inactivity. Would you prefer to work for 100 percent of the wage, or not work for 80 percent? True, you are 20 percent down in raw economic benefits. On the other hand, the day is entirely free, and who says a 20 percent reduction of income isn't worth 100 percent freedom from work?

The market shows its hand in most situations. Since the Social Democrats raised the compensation for illness to 80 percent, the average Swede has taken to increasing sick days from 14 days per year to 25 days per year. A study has been conducted by the Confederation of Swedish Enterprise that divulges that 62 percent of employees interviewed said they had taken sick leave when they were not really sick, and that they thought there was nothing wrong in doing this.

But the bump in the road is raw economics. Work less? Produce less. And, pay less in taxes. The public outlay for welfare sickness has grown to $5.3 billion annually, from just over $2 billion in 1998.

Malingering is cheating, isn't it?

Waal, those are bourgeois judgments, on the order of saying that John Mortimer, by acquiescing in continued fox hunting, is a sadist. There are other concerns in Great Britain, which threaten to be estopped by that mania over fox hunting. A Swedish professor says it is impossible to conclude that the Swedes are engaged in fake illnesses because "a central part of Swedish thinking is that people basically are honest and decent."

John Mortimer meanwhile is left to instruct Tony Blair on the legitimate interests of socialism, which come this side of protecting every snouty fox in Great Britain who, if left alone, "kill chickens and lambs for sport" and need to be killed anyway. "Hunting foxes with dogs is more humane than wounding them with shot." And anyway, foxes don't require sick leave.

"It's King Ludwig of Bavaria—he sounds mad."

Rumbles in Illinois

NEW YORK, SEPTEMBER 27

SUPREME COURT Justice John Paul Stevens sailed into Chicago early in the week to preside over the distribution of awards given in his name. Mr. Stevens is a hero in the anti-capital-punishment crusade because it was he who wrote the decision banning the execution of the mentally retarded, thus relieving some 20 states that had not yet banned it the tedium of passing their own laws on the subject.

Justice Stevens is a nibbler on the subject of capital-punishment reform, and in his speech he applauded the work of Gov. George Ryan. Gov. Ryan, hereafter GEORGE—for reasons that will be apparent—had set up a commission to revise c/p codes and Stevens was there to applaud the commission's proposals. They called for reducing crimes warranting the death penalty from 20 to five, for videotaping police interrogations of all capital-crime suspects, and for barring convictions on the testimony of a single eyewitness or jailhouse informant. There were 82 other recommendations, "each of which is supported by thoughtful consultation." Justice Stevens put his cards on the table when he said: "Its goal speaks for itself."

That same day, Illinois attorney general JIM Ryan filed a lawsuit against GEORGE. What JIM is saying, essentially, is that GEORGE is giving play to his penchant against capital punishment by coming out in favor of practically any reason to reverse or mitigate capital convictions. GEORGE has until next January as governor, and he will be succeeded by JIM if the Democratic challenger is defeated.

Now JIM is especially vexed because Illinois voters are always confusing him with GEORGE, even though they are unrelated and don't really like each other. GEORGE's future is clouded on one front, bright on another. His administration has been, in the beguiling words of his attorney general JIM, "the worst administration in the history of Illinois." There are charges out there that the government has traded everything from driver's licenses to contracts in return for contributions. It isn't obvious what convicted murderers can con-

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tribute to the welfare of GEORGE, but that does not mean they can't contribute anything. Because the bright spot out there is that there is talk of a Nobel prize for GEORGE in recognition of his struggle against capital punishment.

Up until now, the governor has found some reason or other to commute a sentence, but he is going to have to use blanket executive clemency if he is going to spare all of the 158 remaining Death Row people, and it looks very much as though he is prepared, at the margin, to do exactly that. There is of course opposition, both by JIM, who spends his time prosecuting people GEORGE is going to spare, but opposition also by the many people of Illinois who favor capital punishment. And of course, there are the families of the afflicted, for instance, U'Rica Winder, described by Jodi Wilgoren of the *New York Times* as having "survived being stabbed 48 times, at age 6, when her mother, sister and two others were killed in their apartment in a Chicago housing project in 1986." She says, "I know who killed my family. I was there."

Now the anti–c/p people are coming in on many fronts. We have the Ruth Bader Ginsburg decision that says only juries, not just judges, can specify the capital penalty. We have the judge in Vermont who the other day declared that federal c/p is unconstitutional because etc., etc. This is to say nothing of the multifarious human-rights people, who include one Pope, whose pressure is relentless.

The engrossing feature in the political situation is the arrogation of preeminent authority by governors. Hugh Carey, when governor of New York, announced simply that he would commute any sentence before sending people to the chair, never mind that a) the voters favored c/p; b) the state legislators wrote the laws; c) the Supreme Court confirmed that right to execute in 1976. Never mind. His successor Mario Cuomo took pretty much the same line, raising the question whether it is contumacious for a governor to take the formal right to commute and transforming that into public policy, with the effect of repealing a public law.

Well, the frustration of JIM is understandable. Not only are his hard-won convictions slowly going out the window, his political career is in shambles because so many people think JIM is GEORGE. He has begged newspapers to use first names in every reference to a Ryan in Illinois, and the result of all of this is that a Democrat may take the statehouse. No one else is running for anything in Illinois with the same name as Mr. Blagojevich, who apparently will benefit from the whole mess as next governor of Illinois.

What Comes After V-Day?

NEW YORK, OCTOBER 1

As the assumption is almost accepted, if not quite universally accepted, that we are going to move against Iraq, consideration is given to what we will then do. Such division as is still there on the primary mission—deposing Hussein and detoxifying Iraqi science—derives from two great political institutions: the United Nations, and U.S. elections on November 5.

Appearing on television with Jim Lehrer, Secretary Powell put distracting emphasis on forthcoming action by the United Nations. He said that the United States favored not fewer than three resolutions by the Security Council, each one of which would advance us toward the plenary authority we seek. Mr. Powell is suddenly not entirely clear on the major point about which diplomats wrangle, namely, what kind of investigations might mitigate confrontation? U.S. rhetoric is heavily invested in the proposition that no investigation can be satisfactory under the present auspices. We have maintained, especially on the Rumsfeld front, that satisfactory investigations are unforeseeable given how widely and diffusely the concentrations are, and how extensive the resources of Saddam in frustrating inspectors.

Even so, we plod forward on the diplomatic front but without hearing from the White House what we will do if we reach the point where the U.N. says: You can go this far and no further, and our own sense of the scene is that we have indeed to go further in order to meet the challenge.

On the political front, it is widely assumed that when the congressional resolution is put forward, 75 U.S. senators will go along. It will be newsworthy how those senators who are running for reelection break. Al Gore has warbled his fears of aggressive action in the Mideast, but the echo chambers of the irresolute have done less than one might have expected from the children of Vietnam diplomacy. Sen. Paul Wellstone, as might be expected, takes the Gore accommodationist line. So does Sen. Tom Harkin of Iowa. Sen. Robert Torricelli was vociferously opposed to giving President Bush the authority he seeks, but we do not know how the successor Democratic candidate will shape up on the question, and other Democrats seeking reelection, including Jean Carnahan of Missouri and Max Baucus of Montana, are in favor of action in Iraq. Special attention will be given to how Democratic candidates who are soft on the Iraqi question fare at the polls.

Talk is everywhere on the matter of what to do after Saddam is gone. Much of this is generated by properly conservative concerns over the demands of nation-building. Here the U.S. left- and right-wing isolationists make jointly the case that dispensing with Saddam Hussein by military action will accomplish nothing more than just that: Iraq without Saddam. What then are we to do about internal ethnic strife; about Turkish concern for the Kurds, Iranian and Syrian opportunism, and the paradox of Saudi Arabia?

To proceed comfortably against Iraq requires collegiality with Saudi Arabia. We are accustomed to this, but clubbiness is more difficult as we stride forth not only to find the deposits of apocalyptical warfare, but also to make the world safe for democracy.

The major fulcrum by which systematic repression in the Near East world is measured is women. But in Iraq, women are like members of NOW, compared with the lot of women in Saudi Arabia, who exist only because they are biologically and sensually indispensable. In post-Saddam Iraq, we would find ourselves endorsing reforms which would begin by relieving men and women of the pain of brutally enforced autocratic rule. The orientations of reform are of course obvious: human beings prosper, spiritually and economically, from political systems that acknowledge the dignity of the human being.

We have to assume that President Bush is deploying our military reserves as required to contend with an enemy he declares unapproachable by other means. He has not developed a program for a post-war Iraq. He will have to do so, and on this matter, he will not exercise the plenipotentiary powers of the commander in chief.

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AND ANOTHER THING . . .

JONAH GOLDBERG

I HATE golf. It's an old-fashioned, even Biblical hatred that is rooted almost entirely in envy—as opposed to modern "hate," which, we are constantly told, is based on fear of gays or some other member of the Coalition of the Oppressed. I do not *fear* golf.

But I do admire Hootie Johnson. He's the head of the Augusta National Golf Club who, despite intense pressure from feminist groups and propagandistic media coverage, is standing in the clubhouse door barring women from joining. Augusta has a mere 300 or so members, and their net worth is, by rough calculation, well in excess of the GDP of Belize (then again, Augusta member Jack Welch's personal GDP alone trumps that of Belize).

Feminists assume that whenever men congregate without them, it is to write a new draft of the Protocols of the Elders of the Patriarchy. The reality behind Augusta is much simpler: Rich people buy things for themselves that the rest of us want but can't afford. This is, after all, why we call them "rich." And the men of Augusta are paying through the nose for what the rest of us guys have to buy on the cheap: all-male companionship.

I've thought about this a great deal, as I feel compelled to organize a regular all-male poker game. Whether the evolutionary determinists are right that this desire stems from the prehistoric division of labor wherein men bag mastodons and women stay in the village to bag three-bean salad may be debatable. But the fact remains that men do not seek the aid of other men merely in the face of adversity; they seek the company of men because they find it enjoyable.

I learned this lesson fairly early. I went to an all-women's college. (This may sound like the beginning of a story in *Penthouse*—"I never thought I'd be writing a letter like this . . ."—but it's true.) When I arrived at Goucher College for its first year as a coed school, there were some 30 men and over 1,000 women. Roughly 10 percent of the male student body had attended my high school, i.e., three guys. About 8 percent were Korean-American and named Derrick (two guys). I did the math: If the University of Michigan had a similar ratio, they would have enough Korean-American Derricks to cast the train-yard scene in *Gone with the Wind* solely with K.A.D.'s.

I learned a great deal at Goucher—much of it not of my own choosing, which is as it should be (I suspect I am the only member of the NATIONAL REVIEW family with a dog-eared copy of Catharine MacKinnon's *Toward a Feminist Theory of the State* on his bookshelf). Regardless, in such a masculinity-deprived environment you learn, very quickly, that if you do not make friends with the very few men around you, you will have no male friends at all. This fear that you will have no "wing man" is, oddly enough, somewhat similar to what men go through in all-male settings such as the army, prison, and the locker room (I have first-hand experience only with the last of these). Men team up with comrades because it is in their nature to seek not only strength but comfort in numbers.

Poker is the best way for me to carve out a small all-male enclave.

Yet prison and the army are obviously very different institutions from an all-women's college (though the food is about the same). The only female-run institution most men encounter is marriage. One need not be henpecked to grasp that women run this show. For the bachelor, the most tangible discovery upon getting hitched is that his standards—social, culinary, hygienic, organizational, professional, etc.—go up while the bride must fight an uphill battle to keep her beloved from eating all of his meals over the sink. The accumulated responsibilities, obligations, and civilizing norms required by marriage are what caused someone to joke that getting married for sex is like buying a 747 for the free peanuts.

Friendship and marriage are natural competitors not just for quality time, but for quantity time. "A man's friendships," lamented Samuel Butler, "are, like his will, invalidated by marriage." Not having the millions required to join an Augusta, poker is the best way for me to carve out a small all-male enclave amid an otherwise female hegemony.

For years, I tried in vain to organize a game. But when you are a young man, you and your friends can spill out into life like barbarians pouring down from the hills, feeling little need to coordinate or organize male bonding. Now that we are older and married (most of us), interest is keen and the games are oversubscribed. Poker suits the needs of the time-deprived married man in search of male camaraderie perfectly: It is a) schedulable, b) immune to inclement weather, and c) conducive to the consumption of alcohol (even as the financial realities of the game discourage bacchanalian excess).

Most important, unlike golf, poker is largely immune to the prying eyes of the state or the social do-gooders who so often stand in for it. Like Christians hiding out in the catacombs of ancient Rome, we can play cards more or less in secret, without fear of feminists or their lawyers kicking down our doors. We form a Burkean "little platoon," an Alamo making a last stand for one of the few truly guilty pleasures denied in our whatever-floats-your-boat culture: pure, *non*-sexual male bonding. I hope that one day we can play in the sunshine, since the culture is the poorer for the lack of such activities.

Sadly, we have not followed Samuel Johnson's warning that "Nature has given women so much power that the law has very wisely given them little," and so Augusta will eventually lose because the culture will no longer tolerate all-male activities in the public eye. Sure, many will remain members, if only for the *golf*. But, as they will no longer be getting everything they want, some will resort to back-alley male bonding of the sort the rest of us rely on. Jack Welch is welcome at my game. But, just so he knows, there's a $5 maximum. **NR**

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Does Giving Away American Jobs Make Sense?

Workers in the U.S. textile and apparel industries strongly support the war on terrorism and they are doing their part.

Their sons and daughters in the military are on the front lines in far away places.

And they are working hard and paying the taxes that help finance this war.

Yet, American textile and apparel workers are being asked to give even more. Washington wants to reward our foreign allies in this war by giving them thousands of our jobs.

Already, Washington has promised Pakistan it could export into the U.S. market an additional $478 million of textiles over the next three years. The Governments of Bangladesh and India, among many other nations, are asking for similar rewards for their support in this fight.

But, American workers need these jobs.

And our state governments, our towns, and our schools need the tax revenues these jobs produce.

Asking America's textile and apparel workers, and the states and communities where they work and live, to carry so much of this foreign aid obligation is simply unfair.

By contrast, Washington gave the airline industry $16 billion and New York City was promised $20 billion to offset their losses in this war.

Plain fairness demands a better way to support our allies than giving away our jobs.

We think that the worst approach of all is to take American jobs and give them away to foreign governments as a political reward.

What do you think?

For more information or to contact your elected officials and local media, go to www.craftedwithpride.org

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